

PLANNING COMMISSION

MEETING OF

SEPTEMBER 20, 2001

City of Las Vegas

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

5:30 PM

COMMISSIONERS BRIEFING:

PRESENT:

Craig Galati - Chairman
Richard Truesdell - Vice Chairman
Steven Evans
Byron Goynes
Laura McSwain

EXCUSED:

Michael Buckley
Stephen Quinn

STAFF PRESENT:

Robert Genzer - Planning & Development Dept.
John Koswan - Planning & Development Dept.
Chris Glore - Planning & Development Dept.
Joel McCulloch - Planning & Development Dept.
Laura Martin - Planning & Development Dept.
Don Schmeiser - Planning & Development Dept.
Daphnee Legarza - Public Works
Rick Schroder - Public Works
Bryan Scott - City Attorney's Office
Deeny Araujo - City Clerk's Office
Linda Owens - City Clerk's Office

Joel McCulloch, Planning and Development Department, called the Briefing to order at 5:30 P.M.

Item No. A-1, A-0045-01(A):

Mr. McCulloch said that on September 13, 2001 the applicant requested this item be withdrawn without prejudice. Staff would like to have it held in abeyance indefinitely or be heard. Clark County is doing an Interlocal Agreement requiring that they don't have to hook up to City sewer.

Item No. A-2, TM-0032-01:

Mr. McCulloch noted that on September 12, 2001 the applicant requested abeyance of this Tentative Map until the October 18, 2001 meeting because a Variance to open space will not be heard by the City Council until October 17, 2001.

Item No. A-3, TM-0033-01:

Mr. McCulloch explained that staff is requesting this item be held in abeyance to the October 18, 2001 meeting in order to advertise the item as a Public Hearing for the waiver to the wall height.

Item No. A-6, TM-0036-01:

Mr. McCulloch stated that staff is requesting this item be held in abeyance to the October 4, 2001 meeting because the City Council made substantive changes to the site plan on September 19, 2001 and staff hasn't had a chance to review those changes.

Item Nos. B-1, Z-0033-01, and B-2, Z-0033-01(1) and Z-0034-01(1):

Mr. McCulloch indicated the applicant is requesting abeyance to the October 18, 2001 meeting to further work with staff on site related issues.

Item Nos. B-6, GPA-0027-01, and B-7, Z-0046-01:

Mr. McCulloch said that on September 7, 2001 the applicant requested these items be withdrawn without prejudice. The applicant has had a meeting with Councilman Weekly, who advised him these applications would probably be denied.

Item No. B-8, V-0063-01:

Daphnee Legarza, Public Works, said this site was not originally designed to accommodate a gate. There is a condition addressing that concern.

Item No. B-9, U-0062-01:

Mr. McCulloch stated that on August 20, 2001 the applicant requested this item be withdrawn without prejudice.

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COMMISSIONERS BRIEFING:

Item No. B-11, U-0101-01:

Mr. McCulloch said that on August 7, 2001 the applicant requested this item be withdrawn without prejudice.

Item No. B-17, GPA-0019-01:

Robert Genzer, Planning and Development, said he did not see the neighbors comments in the backup at the required neighborhood meeting. There were about 40 people at the meeting. The residents were wondering why this General Plan Amendment is being requested. One of the concerns was to keep commercial away from residential. The City Attorney will be at the meeting to speak on this item.

Item No. B-19, Z-0062-01(1):

Daphnee Legarza, Public Works, said the applicant has come in with a site plan for 32-foot wide private streets. There is a condition to that effect. The applicant has agreed they can accommodate the 37-foot wide private streets.

Item No. B-21, Z-0063-01(1):

Daphnee Legarza, Public Works, said she will be recommending adding to Condition No. 11. They don't want to stub to allow commercial traffic into residential neighborhoods. There is a condition to eliminate the stub.

Item No. B-24, U-0099-96(1):

Daphnee Legarza, Public Works, noted this application involves a sewer project.

Item No. B-28, SD-0055-01:

Mr. McCulloch noted that on September 18, 2001 the applicant requested this item be held in abeyance to the October 18, 2001 meeting in order to revise the site plan. Staff would like to go forward with the Special Use Permit. There is a 70 foot drainage easement on the rear of the site so they will have to redesign the site.

Item No. B-32, U-0127-01, and B-33, Z-0017-90(36):

Mr. McCulloch said that on September 17, 2001 the applicant requested this item be held in abeyance indefinitely. They are waiting for the rest of the site to come in for a Site Development Plan Review.

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COMMISSIONERS BRIEFING:

Item No. B-34, U-0128-01:

Mr. McCulloch stated that on September 12, 2001 the applicant requested this item be held in abeyance to the October 4, 2001 meeting in order to revise the site plan. They want to see what will happen with the Text Amendment for cell towers.

Item No. D-1, TA-0029-01:

Mr. McCulloch announced that this item should be pulled up on the agenda to be heard prior to the master sign plan for Neonopolis.

General Discussion:

Mr. Genzer reminded the Commissioners of the State Planning Conference.

Mr. McCulloch adjourned the Briefing at 5:49 P.M.

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ITEM

ACTION

6:00 PM

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

CALL TO ORDER:

6:00 P.M., Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada.

ROLL CALL:

Craig Galati	Present
Chairman	
Richard Truesdell	Present
Vice Chairman	
Michael Buckley	Excused
Steven Evans	Present
Byron Goynes	Present
Laura McSwain	Present
Stephen Quinn	Excused

ANNOUNCEMENT:

Satisfaction of Open Meeting Law Requirements.

This meeting has been properly noticed and posted at the following locations:

Clark County Government Center,
500 South Grand Central Parkway
Senior Citizens Center,
450 East Bonanza Road
Clark County Courthouse,
200 East Carson Avenue
Court Clerk's Office Bulletin Board,
City Hall Plaza
City Hall Plaza, Special Outside Posting
Bulletin Board

MINUTES:

Approval of the minutes of the August 23, 2001 Planning Commission meeting.

CHAIRMAN GALATI called the meeting to order at 6:00 P.M.

STAFF PRESENT:

Robert Genzer, Director,
Planning and Development Department
Chris Knight, Deputy Director,
Planning and Development Department
John Koswan, Manager,
Planning and Development Department
Chris Glore, Supervisor,
Planning and Development Department
Joel McCulloch, Senior Planner,
Planning and Development Department
Laura Martin, Planner II,
Planning and Development Department
Jody Donahue, Planning Technician,
Planning and Development Department
Daphnee Legarza, Project Engineer,
Public Works
Rick Schroder, Project Engineer,
Public Works
Bryan Scott, Deputy City Attorney,
City Attorney's Office
Deeny Araujo, Deputy City Clerk,
City Clerk's Office
Linda Owens, Deputy City Clerk,
City Clerk's Office

Mr. McCulloch announced this meeting is in compliance with the Open Meeting Law.

Truesdell -

APPROVED (McSwain clarified that her reference to "the element" in Item No. B-16 [Z-0167-94(1) - STRATOSPHERE GAMING CORPORATION] in the 9-6-2001 meeting minutes was to underage drinking and gambling.)

Unanimous

(Buckley and Quinn excused)

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ACTION

ACTIONS:

ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDAED ITEM.

PLANNING COMMISSION MEETING RULES OF CONDUCT.

CHAIRMAN GALATI indicated the subdivision items could be appealed by the applicant or aggrieved person or a review requested by a member of the City Council.

CHAIRMAN GALATI read the statement on the order of the items and limitations on persons wishing to be heard on an item.

CHAIRMAN GALATI noted the Rules of Conduct.

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ITEM

ACTION

A.

CONSENT ITEMS:

CONSENT ITEMS ARE CONSIDERED ROUTINE BY THE PLANNING COMMISSION AND MAY BE ENACTED BY ONE MOTION. HOWEVER, ANY ITEM MAY BE DISCUSSED IF A COMMISSION MEMBER OR APPLICANT SO DESIRES.

A-1.

ABEYANCE - A-0045-01(A) - GLEN HICKEY

Petition to Annex 0.5 acre of property generally located on the south side of Haley Avenue, approximately 160 feet west of Tenaya Way (APN: 125-22-203-002), Ward 6 (Mack).

ON SEPTEMBER 13, 2001 THE APPLICANT REQUESTED THIS ITEM BE WITHDRAWN WITHOUT PREJUDICE FROM THE AGENDA.

CHAIRMAN GALATI stated the Consent items may be discussed if a Commission Member or Applicant so desires.

**McSwain -
TABLED (Sewer Agreement previously signed).
Unanimous
(Buckley and Quinn excused)**

JOEL McCULLOCH, Planning and Development, stated staff would like to have this item pulled off the Consent agenda and discussed after the Consent items.

CHAIRMAN GALATI called this item forward after the Consent items were heard.

JOEL McCULLOCH, Planning and Development, said that on September 13, 2001 the applicant requested this item be withdrawn without prejudice. Staff feels this item should either be tabled or heard at this meeting. The applicant has signed a sewer connection agreement with the City so it should go forward.

COMMISSIONER McSWAIN said she would prefer this item be tabled to give the applicant an opportunity to be heard since there was no one present to represent the application.

(6:18) 1 - 545

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ITEM

ACTION

A-2.

**TM-0032-01 - IRON MOUNTAIN ESTATES
SOUTH - ASTORIA IRON MOUNTAIN,
LIMITED LIABILITY COMPANY ON BEHALF
OF ASTORIA HOMES**

Request for a Tentative Map for 109 lots on 19.99 acres adjacent to the southeast corner of Iron Mountain Road and Fort Apache Road (APN: 125-08-101-001), RE (Residence Estates) Zone under Resolution of Intent to RPD-8 (Residential Planned Development - 8 Units per Acre), Ward 6 (Mack).

ON SEPTEMBER 12, 2001 THE APPLICANT REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE OCTOBER 18, 2001 MEETING.

Truesdell -

ABEYANCE TO THE OCTOBER 18, 2001 PLANNING COMMISSION MEETING (Related Variance for open space will be heard at the October 17, 2001 City Council meeting).

Motion carried with McSwain abstaining due to the fact her company has a business relationship with Astoria Homes.

(Buckley and Quinn excused)

JOEL McCULLOCH, Planning and Development, stated that on September 12, 2001 the applicant requested this item be held in abeyance to the October 18, 2001 Planning Commission meeting. There is a Variance that will be heard at the City Council on October 17, 2001 and that needs to be addressed prior to the Tentative Map being heard.

BRIAN PSIODA, VTN Nevada, 2727 South Rainbow Boulevard, appeared to represent the applicant. He agreed to have this item held to October 18, 2001.

To be heard by the Planning Commission on October 18, 2001.

(6:03 - 6:04) 1 - 90

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ITEM

ACTION

A-3.

**TM-0033-01 - IRON MOUNTAIN ESTATES
WEST - ASTORIA HOMES**

Request for a Tentative Map for 140 lots and a Waiver of the retaining wall height restriction on 35.02 acres adjacent to northeast corner of Iron Mountain Road and Fort Apache Road (APN: 125-05-401-001, 125-05-402-001, 125-05-403-001 and 125-05-404-003), R-PD3 (Residential Planned Development - 3 Units per Acre) Zone and U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] Zone under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units per Acre), Ward 6 (Mack).

ON SEPTEMBER 12, 2001 THE APPLICANT REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE OCTOBER 18, 2001 MEETING.

Truesdell -

ABEYANCE TO THE OCTOBER 18, 2001 PLANNING COMMISSION MEETING (To be advertised as a Public Hearing).

Motion carried with McSwain abstaining due to the fact her company has a business relationship with Astoria Homes.

(Buckley and Quinn excused)

JOEL McCULLOCH, Planning and Development, stated that staff would like to have this item held in abeyance to the October 18, 2001 Planning Commission meeting in order to advertise it as a public hearing for the waiver of the wall height.

BRIAN PSIODA, VTN Nevada, 2727 South Rainbow Boulevard, appeared to represent the applicant. He agreed to have this item held to the October 18, 2001 Planning Commission meeting.

To be heard by the Planning Commission on October 18, 2001.

(6:04 - 6:05) 1 - 123

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ACTION

A-4.

TM-0034-01 - SANDRA NORRIS 1990 LIVING TRUST ON BEHALF OF BEAZER HOMES HOLDING CORPORATION

Request for a Tentative Map for 287 lots on 34.45 acres adjacent to the northwest corner of Washington Avenue and Robin Street, C-PB (Planned Business Park) Zone, PROPOSED: R-PD8 (Residential Planned Development – 8 Units per Acre), Ward 5 (Weekly).

STAFF RECOMMENDATION: APPROVAL,
SUBJECT TO:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

2. All development shall conform to the Conditions of Approval for Rezoning (Z-0049-01), Site Development Plan Review [Z-0049-01(1)], and Variance (V-0054-01) as required by the Planning and Development and Public Works Departments.

3. Street names must be provided in accord with the City's Street Naming Regulations.

4. All development is subject to the conditions of City Departments and State Subdivision Statutes.

5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

6. Vacation Application VAC-28-01 shall record prior to the recordation of any Final Map overlying the area to be vacated.

Truesdell -

APPROVED ITEM NOS. A-4, A-5, and A-7 THROUGH A-14, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with McSwain abstaining on Item Nos. A-4, A-5, A-7, and A-9 due to the fact her company has a business relationship with the applicant. (Buckley and Quinn excused)

CHAIRMAN GALATI stated this is a Consent item.

This is final action.

(6:16 - 6:18) 1 - 480

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TM-0034-01 - SANDRA NORRIS 1990 LIVING TRUST ON BEHALF OF BEAZER HOMES HOLDING CORPORATION

APPROVED

7. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first, as required by the Department of Public Works. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits or the recordation of a Final Map for this site, whichever may occur first, if allowed by the Planning Engineer.

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TM-0034-01 - SANDRA NORRIS 1990 LIVING TRUST ON BEHALF OF BEAZER HOMES HOLDING CORPORATION

APPROVED

9. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

Fire Services

10. 24' private streets shall be no parking fire lanes.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

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ACTION

A-5.

TM-0035-01 - RIDGE III - UNIT 4 - NEW HOMES, LIMITED LIABILITY COMPANY ON BEHALF OF PLASTER DEVELOPMENT

Request for a Tentative Map for 9 lots on 1.77 acres located adjacent to the northwest corner of Ann Road and Decatur Boulevard, R-E (Residence Estates) Zone under Resolution of Intent to R-CL (Single Family Compact-Lot), Ward 6 (Mack).

STAFF RECOMMENDATION:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

2. All development shall conform to the Conditions of Approval for Rezoning (Z-0120-96) as required by the Planning and Development and Public Works Departments.

3. Street names must be provided in accord with the City's Street Naming Regulations.

4. All development is subject to the conditions of City Departments and State Subdivision Statutes.

5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

6. If not already constructed or guaranteed by the Master Developer, construct half street improvements including appropriate overpaving on Decatur Boulevard and Ann Road concurrent with development of this site.

Truesdell -

APPROVED ITEM NOS. A-4, A-5, and A-7 THROUGH A-14, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with McSwain abstaining on Item Nos. A-4, A-5, A-7, and A-9 due to the fact her company has a business relationship with the applicant.

(Buckley and Quinn excused)

CHAIRMAN GALATI stated this is a Consent item.

This is final action.

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ACTION

TM-0035-01 - RIDGE III - UNIT 4 - NEW HOMES, LIMITED LIABILITY COMPANY ON BEHALF OF PLASTER DEVELOPMENT

APPROVED

7. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

8. An update to the Drainage Plan and Technical Drainage Study, or other information acceptable to the Flood Control Section of the Department of Public Works, must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first, as required by the Department of Public Works. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits or the recordation of a Final Map for this site, whichever may occur first, if allowed by the City Engineer.

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ACTION

**TM-0035-01 - RIDGE III - UNIT 4 - NEW
HOMES, LIMITED LIABILITY COMPANY ON
BEHALF OF PLASTER DEVELOPMENT**

APPROVED

9. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

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ITEM

ACTION

A-6.

TM-0036-01 - SHEARING FAMILY TRUST, ET AL ON BEHALF OF KB HOME NEVADA, INC.

Request for a Tentative Map for 108 lots on approximately 52.5 acres adjacent to the northeast corner of Alexander Road and Fort Apache Road (APN: 138-05-301-034, 138-05-401-001, 003 through 006; 012 through 015; 019 through 022; 024 through 028), U (Undeveloped) Zone [DR (Desert Rural Residential) General Plan Designation] Proposed: R-PD2 (Residential Planned Development - 2 Units per Acre), Ward 4 (Brown).

STAFF RECOMMENDATION: Approval, subject to the following:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Rezoning (Z-0050-01), Site Development Plan Review [Z-0050-01(1)] as required by the Planning and Development and Public Works Departments.
3. Street names must be provided in accord with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.
5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Truesdell -

ABEYANCE TO THE OCTOBER 4, 2001 PLANNING COMMISSION MEETING (Allow staff time to review a revised Tentative Map).

Motion carried with McSwain abstaining due to the fact her company is bidding on work for KB Homes Nevada, Inc.

(Buckley and Quinn excused)

JOEL McCULLOCH, Planning and Development, stated that staff would like to have this item held in abeyance to the October 4, 2001 Planning Commission meeting. The City Council made substantial changes to the site plan and staff did not have an opportunity to review those plans prior to this meeting.

BOBBY LEWIS, Carter-Burgess, 6655 Bermuda Road, agreed that staff did not have enough time to review the changes.

To be heard by the Planning Commission on October 4, 2001.

(6:05 - 6:06) 1 - 150

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ACTION

TM-0036-01 - SHEARING FAMILY TRUST, ET AL ON BEHALF OF KB HOME NEVADA, INC.

ABEYANCE TO OCTOBER 4, 2001

Public Works

6. This map shall be revised to comply with the Title 18 – Subdivision Ordinance which requires private drives (such as Mont Blanc) to be 200 feet or less in length.

7. The proposed access on Etna Street to Hickam Avenue shall be restricted to emergency access only.

8. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

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ACTION

A-7.

**TM-0037-01 - MADRE MESA SOUTH -
PLASTER DEVELOPMENT COMPANY, INC.
ON BEHALF OF SIGNATURE HOMES**

Request for a Tentative Map for 85 lots on 13.02 acres generally located south of Madre Mesa Drive, approximately 870 feet east of Michael Way (APN: 138-13-701-018, 028, and 041), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] under Resolution of Intent to R-PD6 (Residential Planned Development - 6 Units Per Acre), Ward 5 (Weekly).

STAFF RECOMMENDATION:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SD-0025-01) as required by the Planning and Development and Public Works Departments.

3. Street names must be provided in accord with the City's Street Naming Regulations.

4. All development is subject to the conditions of City Departments and State Subdivision Statutes.

5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures

Truesdell -

APPROVED ITEM NOS. A-4, A-5, and A-7 THROUGH A-14, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with McSwain abstaining on Item Nos. A-4, A-5, A-7, and A-9 due to the fact her company has a business relationship with the applicant.

(Buckley and Quinn excused)

CHAIRMAN GALATI stated this is a Consent item.

This is final action.

(6:16 - 6:18) 1 - 480

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ITEM

ACTION

**TM-0037-01 - MADRE MESA SOUTH -
PLASTER DEVELOPMENT COMPANY, INC.
ON BEHALF OF SIGNATURE HOMES**

Public Works

6. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings, or the recordation of a Final Map for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Conditions of Approval imposed by the Planning Commission or the City Council on the development of this site.

APPROVED

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ITEM

ACTION

**TM-0037-01 - MADRE MESA SOUTH -
PLASTER DEVELOPMENT COMPANY, INC.
ON BEHALF OF SIGNATURE HOMES**

APPROVED

7. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

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ITEM

ACTION

A-8.

U-0081-00(1) - CRAIG J NORTON

Request for an Extension of Time for an Approved Special Use Permit and Site Development Plan Review FOR A PROPOSED PSYCHIC ARTS BUSINESS AND CONVERSION OF A 1,506 SQUARE FOOT RESIDENCE TO AN OFFICE on 0.14 Acre at 2210 East Bonanza Road (APN: 139-35-511-040), R-1 (Single Family Residential) Zone under Resolution of Intent to P-R (Professional Office and Parking), Ward 3 (Reese).

STAFF RECOMMENDATION: APPROVAL,
subject to:

Planning and Development

1. If this Special Use Permit is not exercised within one year of this approval, the Special Use Permit shall be void unless another Extension of Time is granted.

2. Compliance with all Conditions of Approval of the Special Use Permit (U-0081-00), Site Development Plan Review [Z-0053-00(1)] and all other subsequent site-related actions.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Truesdell -

APPROVED ITEM NOS. A-4, A-5, and A-7 THROUGH A-14, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with McSwain abstaining on Item Nos. A-4, A-5, A-7, and A-9 due to the fact her company has a business relationship with the applicant.

(Buckley and Quinn excused)

CHAIRMAN GALATI stated this is a Consent item.

To be heard by the City Council on November 7, 2001.

(6:16 - 6:18) 1 - 480

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ITEM

ACTION

A-9.

A-0060-01(A) - KB HOME NEVADA, INC.

Petition to Annex 5.0 acres of property generally located adjacent to the north side of Alexander Road, approximately 1,050 feet east of Marla Street (APN: 137-01-801-006), Ward 4 (Brown).

STAFF RECOMMENDATION: APPROVAL

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Truesdell -

APPROVED ITEM NOS. A-4, A-5, and A-7 THROUGH A-14, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with McSwain abstaining on Item Nos. A-4, A-5, A-7, and A-9 due to the fact her company has a business relationship with the applicant. (Buckley and Quinn excused)

CHAIRMAN GALATI stated this is a Consent item.

To be forwarded to the City Council in Ordinance form.

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ACTION

A-10.

A-0063-01(A) - CROMER 1985 TRUST, ET AL

Petition to Annex 2.5 acres of property generally located 330 feet north of Grand Teton Drive and 680 feet east of Durango Drive (APN: 125-09-401-014), Ward 6 (Mack).

STAFF RECOMMENDATION: APPROVAL

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Truesdell -

APPROVED ITEM NOS. A-4, A-5, and A-7 THROUGH A-14, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with McSwain abstaining on Item Nos. A-4, A-5, A-7, and A-9 due to the fact her company has a business relationship with the applicant. (Buckley and Quinn excused)

CHAIRMAN GALATI stated this is a Consent item.

To be forwarded to the City Council in Ordinance form.

(6:16 - 6:18) 1 - 480

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ITEM

ACTION

A-11.

A-0065-01(A) - HANNA LIVING TRUST, ET AL

Petition to Annex 5.0 acres of property generally located adjacent to the west side of Campbell Road approximately 300 feet south of Log Cabin Way (APN: 125-05-301-004), Ward 6 (Mack).

STAFF RECOMMENDATION: APPROVAL

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Truesdell -

APPROVED ITEM NOS. A-4, A-5, and A-7 THROUGH A-14, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with McSwain abstaining on Item Nos. A-4, A-5, A-7, and A-9 due to the fact her company has a business relationship with the applicant.

(Buckley and Quinn excused)

CHAIRMAN GALATI stated this is a Consent item.

To be forwarded to the City Council in Ordinance form.

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ACTION

A-12.

A-0066-01(A) - TIMOTHY G. AND BARBARA A. WILLIAMS

Petition to Annex 0.5 acre of property generally located adjacent to the west side of Jones Boulevard approximately 630 feet north of Cheyenne Avenue (APN: 138-11-804-012), Ward 6 (Mack).

STAFF RECOMMENDATION: APPROVAL

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Truesdell -

APPROVED ITEM NOS. A-4, A-5, and A-7 THROUGH A-14, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with McSwain abstaining on Item Nos. A-4, A-5, A-7, and A-9 due to the fact her company has a business relationship with the applicant.

(Buckley and Quinn excused)

CHAIRMAN GALATI stated this is a Consent item.

To be forwarded to the City Council in Ordinance form.

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ACTION

A-13.

A-0067-01(A) - JOHN ELLIOTT

Petition to Annex 0.44 acre of property generally located on the northwest corner of Carl Avenue and Shadow Mountain Place (APN: 138-24-304-014), Ward 5 (Weekly).

STAFF RECOMMENDATION: APPROVAL

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Truesdell -

APPROVED ITEM NOS. A-4, A-5, and A-7 THROUGH A-14, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with McSwain abstaining on Item Nos. A-4, A-5, A-7, and A-9 due to the fact her company has a business relationship with the applicant. (Buckley and Quinn excused)

CHAIRMAN GALATI stated this is a Consent item.

To be forwarded to the City Council in Ordinance form.

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ACTION

A-14.

**A-0068-01(A) - ROMOLO RAMO FUSCO
FAMILY TRUST, ET AL**

Petition to Annex 7.5 acres of property generally located adjacent to the southeast corner of Alexander Road and El Capitan Way (APN: 138-08-501-001, 002 and 004), Ward 4 (Brown).

STAFF RECOMMENDATION: APPROVAL

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Truesdell -

**APPROVED ITEM NOS. A-4, A-5, and A-7 THROUGH A-14,
SUBJECT TO STAFF'S CONDITIONS.**

Motion carried with McSwain abstaining on Item Nos. A-4, A-5, A-7, and A-9 due to the fact her company has a business relationship with the applicant.

(Buckley and Quinn excused)

CHAIRMAN GALATI stated this is a Consent item.

To be forwarded to the City Council in Ordinance form.

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ITEM

ACTION

B.

PUBLIC HEARING ITEMS:

B-1.

ABEYANCE - Z-0033-01 - PARDEE CONSTRUCTION COMPANY NEVADA

Request for a Rezoning FROM: U (Undeveloped) [L (Low Density Residential) General Plan Designation] TO: R-PD5 (Residential Planned Development – 5 Units per Acre) on approximately 10 Acres on the southwest corner of Farm Road and Teepee Lane (APN'S: 125-18-701-004, 009 through 011), PROPOSED USE: Single Family Residential, Ward 6 (Mack).

ON SEPTEMBER 18, 2001 THE APPLICANT REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE OCTOBER 18, 2001 PLANNING COMMISSION MEETING.

Truesdell -

ABEYANCE ITEM NOS. B-1 AND B-2 TO THE OCTOBER 18, 2001 PLANNING COMMISSION MEETING (Allow applicant time to work with staff on site related issues).

Unanimous

(Buckley and Quinn excused)

JOEL McCULLOCH, Planning and Development, stated Item Nos. B-1 and B-2 should be held in abeyance to the October 18, 2001 meeting to allow the applicant time to work with staff on site related issues.

APRIL McGRIFF, Bossard Development Services, appeared to represent the applicant. She agreed to have Item Nos. B-1 and B-2 held to the October 18, 2001 meeting.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the Planning Commission on October 18, 2001.

(6:06 - 6:07) 1 - 183

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ITEM

ACTION

B-2.

ABEYANCE - Z-0033-01(1) AND Z-0034-01(1)
- PARDEE CONSTRUCTION COMPANY

Request for a Site Development Plan Review FOR A PROPOSED 243-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 50.08 Acres on the south side of Farm Road, west of Fort Apache Road (APN's: 125-18-701-004 and 009 through 014; 125-18-702-001 through 003; 125-18-801-006 and 007), U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation] [Proposed R-PD5 (Residential Planned Development - 5 Units Per Acre)]; and U (Undeveloped) Zone [L-TC (Low Density Residential) General Plan Designation] under Resolution of Intent to T-C (Town Center), Ward 6 (Mack).

ON SEPTEMBER 18, 2001 THE APPLICANT REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE OCTOBER 18, 2001 PLANNING COMMISSION MEETING.

Truesdell -

ABEYANCE ITEM NOS. B-1 AND B-2 TO THE OCTOBER 18, 2001 PLANNING COMMISSION MEETING (Allow applicant time to work with staff on site related issues).

Unanimous

(Buckley and Quinn excused)

JOEL McCULLOCH, Planning and Development, stated Item Nos. B-1 and B-2 should be held in abeyance to the October 18, 2001 meeting to allow the applicant time to work with staff on site related issues.

APRIL McGRIFF, Bossard Development Services, appeared to represent the applicant. She agreed to have Item Nos. B-1 and B-2 held to the October 18, 2001 meeting.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the Planning Commission on October 18, 2001.

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ITEM

ACTION

B-3.

ABEYANCE - RENOTIFICATION - Z-0061-01
- MURI AND ANGELINE MELWANI TRUST
ON BEHALF OF RL HOMES

Request for a Rezoning FROM: R-E (Residence Estates) TO: R-1 (Single Family Residential) of 3.65 Acres on the east side of Torrey Pines Drive, between Hammer Lane and Fisher Avenue (APN: 125-35-601-001), PROPOSED USE: 18-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION, Ward 6 (Mack).

NOTICES MAILED: 513 (Mailed with U-0123-01)

APPROVALS 2 (Speakers)

PROTESTS 1

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. The overall residential density is limited to a maximum of 5.50 dwelling units per acre.
3. All development shall be subject to the development standards for the R-1 (Single Family Residential) zoning district as set forth in Section 19A.08 of the Las Vegas Zoning Code.
4. Conformance to all applicable Conditions of Approval for Special Use Permit application (U-0123-01).

Goynes -
APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Unanimous
(Buckley and Quinn excused)

CHAIRMAN GALATI called this item forward after Item No. B-35 was heard.

JOEL McCULLOCH, Planning and Development, stated this request to R-1 conforms to the General Plan designation of Low Density residential, which allows up to 5.5 dwelling units per acre. In addition, there are existing R-1 densities to the north and west of this project. Staff recommended approval, subject to the conditions.

KATHY GRIDER, WRG Designs, 2260 Corporate Circle, Henderson, Nevada, appeared to represent RL Homes. She concurred with the conditions.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in approval. Does the applicant intend to put a block wall around this property? There is an elementary school to the south and it would be safer and easier to watch the children if a block wall did not exist.

ROMAN DEPOSIO, 5301 Bryson Court, appeared in approval. He was concerned that there would be landscaping along the block wall on Fisher Avenue and wanted the wall to be decorative. On Hammer Lane landscaping is not necessary.

CHAIRMAN GALATI declared the Public Hearing closed.

ARTHUR MACARAEG, WRG Design, 2260 Corporate Circle, Henderson, Nevada appeared on behalf of the applicant. They originally had this subdivision designed to exit on Fisher Avenue, but because of the elementary school the exit will be on Hammer Lane.

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ACTION

ABEYANCE - RENOTIFICATION - Z-0061-01
- MURI AND ANGELINE MELWANI TRUST
ON BEHALF OF RL HOMES

Public Works

5. Construct half-street improvements on Hammer Lane and Fisher Avenue and construct all incomplete half-improvements on Torrey Pines Drive adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

6. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

7. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

8. A Master Public Streetlight Plan shall be submitted and approved prior to the submittal of any construction drawings for this site.

MS. GRIDER explained that there will be landscaping outside the wall on the Fisher Avenue side of the property. It will be a standard six-foot high wall.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item No. B-4 for related discussion.

To be heard by the City Council on November 7, 2001.

(6:33 - 6:44) 1 - 1220

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ITEM

ACTION

ABEYANCE - RENOTIFICATION - Z-0061-01
- MURI AND ANGELINE MELWANI TRUST
ON BEHALF OF RL HOMES

APPROVED

9. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

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ACTION

ABEYANCE - RENOTIFICATION - Z-0061-01
- MURI AND ANGELINE MELWANI TRUST
ON BEHALF OF RL HOMES

APPROVED

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

10. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits or the recordation of a final map, whichever may occur first, if allowed by the City Engineer.

11. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

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ITEM

ACTION

B-4.

**ABEYANCE - RENOTIFICATION - U-0123-01
- MURI AND ANGELINE MELWANI TRUST
ON BEHALF OF RL HOMES**

Request for a Special Use Permit FOR PRIVATE STREETS WITHIN A PROPOSED 18-LOT SUBDIVISION on the east side of Torrey Pines Drive, between Hammer Lane and Fisher Avenue (APN: 125-35-601-001), R-E (Residence Estates) Zone [PROPOSED: R-1 (Single Family Residential)], Ward 6 Mack).

NOTICES MAILED 513 (Mailed with Z-0061-01)

APPROVALS 2 Speakers

PROTESTS 1

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. The private streets shall have a minimum width of thirty-seven feet from back-of-curb to back-of-curb. Private streets with rolled curbs shall be a minimum width of thirty-nine feet.
3. The proposed private streets shall meet the minimum construction standards for public streets.

Goynes -
APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Unanimous
(Buckley and Quinn excused)

CHAIRMAN GALATI called this item forward after Item No. B-35 was heard.

JOEL McCULLOCH, Planning and Development, stated that the proposed private streets would be consistent with local streets found in most new residential subdivisions in Las Vegas. Staff recommended approval, subject to the conditions.

KATHY GRIDER, WRG Designs, 2260 Corporate Circle, Henderson, Nevada, appeared to represent RL Homes. She concurred with the conditions.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in approval.

ROMAN DEPOSO, 5301 Bryson Court, appeared in approval.

CHAIRMAN GALATI declared the Public Hearing closed.

ARTHUR MACARAEG, WRG Design, 2260 Corporate Circle, Henderson, Nevada appeared on behalf of the applicant. They originally had this subdivision designed to exit on Fisher Avenue, but because of the elementary school the exit will be on Hammer Lane.

NOTE: See Item No. B-3 for related discussion.

To be heard by the City Council on November 7, 2001.

(6:33 - 6:44) 1 - 1220

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ITEM

ACTION

ABEYANCE - RENOTIFICATION - U-0123-01
- MURI AND ANGELINE MELWANI TRUST
ON BEHALF OF RL HOMES

APPROVED

4. The street name signs for private streets shall bear the words "privately maintained," and shall be a color and design established by the City and in conformance with the Manual of Uniform Traffic Control Devices. The color of such a sign must differ distinctively from that used in connection with public streets.

5. The Tentative Map application for the proposed residential subdivision on this site shall demonstrate compliance with all provisions of the Las Vegas Municipal Code applicable to private streets, including the provision of a separate lot for private streets.

6. Conformance to all applicable Conditions of Approval for Rezoning application (Z-0061-01).

Public Works

7. Meet with the Traffic Engineer for assistance in the possible redesign of the proposed access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Access roadway shall be designed, located and constructed in accordance with Standard Drawing #222a. Gated access, if proposed concurrent with development or in the future, shall be designed, located and constructed in accordance with Standard Drawing #222a. As shown this site plan does not accommodate access gates.

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ACTION

ABEYANCE - RENOTIFICATION - U-0123-01
- MURI AND ANGELINE MELWANI TRUST
ON BEHALF OF RL HOMES

APPROVED

8. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, multi-use trails, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections. The CC&R's for the Homeowner's Association shall be submitted to and approved by the City Attorney's Office.

9. The design and layout of all on-site private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.

10. Site development to comply with all applicable Conditions of Approval for Zoning Reclassification Z-61-01, on this same agenda.

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ITEM

ACTION

B-5.

ABEYANCE - TA-0032-00 - CITY OF LAS VEGAS

Discussion and possible action to amend Title 19A.08 (Development Standards) to add a section regarding cellular (also known as wireless) communication facilities.

APPROVALS: 2 Speakers

PROTESTS: 0

STAFF RECOMMENDATION: APPROVAL

**Truesdell -
APPROVED
Unanimous
(Buckley and Quinn excused)**

CHAIRMAN GALATI pulled this item forward after Item No. A-1 was heard.

ANDREW REED, Planning and Development, stated staff is proposing changes to the code that are designed to insure these cellular facilities are developed and located in such a manner as to be more compatible with adjacent properties. The changes are as follows:

- 1) Allowing stealth facilities as an administrative approval in order to encourage those types of facilities whenever possible.
- 2) Allowing co-location to be approved administratively at the discretion of the Director whenever such co-location would aesthetically enhance the City.
- 3) Poles that are proposed to be located on property that is zoned C-V (Civic) or developed with a utility substation can be approved administratively at the discretion of the Director.
- 4) Allowing facilities to be placed on residentially zoned (but not residentially developed) property. Staff notes that some of these properties are developed with uses, such as golf courses or churches, where a communication facility could be placed with minimal impact to the surrounding property.
- 5) Encouraging separation of towers by creating a minimum separation distance.
- 6) Requiring the applicant to provide additional information as part of the Special Use Permit process. This additional information would include: a list of existing poles and structures in the vicinity of the request and an explanation of the possibility of co-location.
- 7) Establishing deadlines and procedures that require all abandoned or unused communication towers and associated facilities to be removed within six months of the cessation of operations at the site. [The current Zoning Code does not address abandoned towers.]

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ACTION

ABEYANCE - TA-0032-00 - CITY OF LAS VEGAS

City staff and representatives from the wireless communication industry have held several meetings to discuss this proposed Ordinance. Staff has been able to incorporate several suggestions from the industry into the draft regulations. However, the industry has requested additional changes to the Ordinance which staff is unable to support. These changes that the industry desires include allowing towers to be administratively approved in commercial/ industrial or industrial areas and not requiring a Special Use Permit process. There are areas with commercial/industrial or industrial zoned property that are embodying areas such as the Downtown Centennial Plan or residential areas where staff thinks the Special Use Permit process should still occur.

The industry also requested that existing towers be allowed to receive an administrative approval for an increase in height up to 20 feet over the current height. There are many towers that were approved that are immediately adjacent to residential property where an increase in height may not be appropriate and may not comply with Residential Adjacency Standards. Staff is unable to support that request from the industry.

Finally, staff is requesting that the providers and tower owners include a list of their facilities within the City or within 1,500 feet of the border when they submit an application. The industry is requiring that be deleted from the regulations. They feel it is a competitive issue and the competition could use that information. There are other jurisdictions, such as the City of South San Francisco, Fort Worth, as well as Salt Lake County, that require that information. Staff feels that information is necessary so that all opportunities for co-location can be investigated.

Staff recommended approval of this Text Amendment as currently written.

COMMISSIONER McSWAIN wondered what recourse a citizen would have if they objected to the Planning Director's decisions.

MR. REED responded that staff would approve administratively co-locations on towers and stealth facilities. It is hopeful that with stealth facilities the towers would not be noticeable because they would be on an existing building or sign.

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ABEYANCE - TA-0032-00 - CITY OF LAS VEGAS

CHRIS GLORE, Planning and Development, added that with any administrative decisions an aggrieved person could appeal those decisions to the Planning Commission.

COMMISSIONER TRUESDELL noted that for several months there has been a sub-committee working with the cellular industry. There is still a difference of opinion on several industry requested issues. Those administrative approvals in the past have been well done and for the most part unknown to the general public. He did not feel the City of Las Vegas would be mirroring some of the directions in other municipalities within southern Nevada.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in approval. Prior to staff signing off on an administrative decision the Ward Councilperson should sign off also because that person has a better understanding of what is taking place in that Ward.

DONALD CATE, Spectrum Surveying & Engineering, 7351 West Charleston Boulevard, Suite 120, stated that he has worked with the Commission and staff as an industry. The idea of the administrative approval is not to get something snuck past the Commission, the City, or the residents, but to have some of the items that do not require Special Use Permits based on their appearance on the Planning Commission meeting agendas. The administrative approval process has been adopted in the County for several years with very few complaints.

CHAIRMAN GALATI felt the administrative process speeds up the application process.

COMMISSIONER EVANS asked if the proposed change would require co-location in order to be approved administratively. CHAIRMAN GALATI said that is one of the conditions.

CHAIRMAN GALATI declared the Public Hearing closed.

COMMISSIONER TRUESDELL acknowledged staff's work on this proposed Ordinance.

To be forwarded to the City Council in Ordinance form.

(6:19 - 6:33) 1 - 600

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ACTION

B-6.

ABEYANCE - GPA-0027-01 - ARC INVESTMENTS, INC.

Request to Amend a portion of the West Las Vegas Plan FROM: M (Medium Density Residential) TO: SC (Service Commercial) on 0.15 acre on the east side of "F" Street adjacent to Interstate-15 (APN: 139-27-310-056), Ward 5 (Weekly).

ON SEPTEMBER 7, 2001 THE APPLICANT REQUESTED THIS ITEM BE WITHDRAWN WITHOUT PREJUDICE.

Truesdell -

WITHDRAWN WITHOUT PREJUDICE ITEM NOS. B-6 AND B-7.

**Unanimous
(Buckley and Quinn excused)**

JOEL McCULLOCH, Planning and Development, stated that on September 7, 2001 the applicant requested these items be withdrawn without prejudice.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

This is final action.

(6:07 - 6:08) 1 - 218

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ACTION

B-7.

ABEYANCE - Z-0046-01 - ARC INVESTMENTS, INC.

Request for a Rezoning FROM: R-4 (High Density Residential) TO: C-1 (Limited Commercial) on 0.15 acre on the east side of "F" Street adjacent to Interstate-15 (APN: 139-27-310-056), Ward 5 (Weekly).

ON SEPTEMBER 7, 2001 THE APPLICANT REQUESTED THIS ITEM BE WITHDRAWN WITHOUT PREJUDICE.

Truesdell -

WITHDRAWN WITHOUT PREJUDICE ITEM NOS. B-6 AND B-7.

**Unanimous
(Buckley and Quinn excused)**

JOEL McCULLOCH, Planning and Development, stated that on September 7, 2001 the applicant requested these items be withdrawn without prejudice.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

This is final action.

(6:07 - 6:08) 1 - 218

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ITEM

ACTION

B-8.

ABEYANCE - V-0063-01 - TRIUMPH PROPERTIES, LIMITED LIABILITY COMPANY

Request for a Variance TO ALLOW A PERIMETER BLOCK WALL AND SECURITY GATES TO A HEIGHT OF TEN FEET WHERE SIX FEET IS THE MAXIMUM HEIGHT ALLOWED at 751 North Tenaya Way (APN: 138-27-311-041), R-PD16 (Residential Planned Development - 16 Units Per Acre), Ward 2 (L.B. McDonald).

NOTICES MAILED 414 (8-23-01 PC)

APPROVALS 0

PROTESTS 1 Speaker

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. If the Review of Condition [Z-0108-94(3)] is not approved, this Variance shall be null and void.
2. If this Variance is not exercised within two (2) years after the approval by City Council, then this Variance shall be void unless an Extension of Time is granted.
3. Submit complete plans and structural calculations to the Department of Building and Safety for review and permit.
4. Provide a copy of a recorded Joint Access between this site and the adjoining parcel to the south prior to the issuance of any permits.
5. All development shall be in conformance with the site plan and building elevations.
6. City Code requirements and design standards of all City Departments, which are not affected by approval of this Variance, must be satisfied.

Truesdell -
APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Unanimous
(Buckley and Quinn excused)

LAURA MARTIN, Planning and Development, stated the applicant's justification letter states the site plan has been revised in response to staff's original concern of creating a canyon effect along Tenaya Way. This is a request to allow a two foot high solid block retaining wall topped with a four foot high wrought iron fence with the top two feet open within the front yard area and maximum eight foot high security gates.

In front of Building 1 the applicant proposes to construct an open six-foot high wrought iron fence with a two foot retaining wall for the total length of 180 feet. The green arched wrought iron fencing would be attached between eight-foot tall masonry pilasters spaced 20 feet on center. The two 20 foot wide wrought iron security gates are approximately eight feet tall located at the north and south ends of the property frontage along Tenaya Way.

In front of Building 3, which is elevated four feet above Tenaya Way, the applicant proposes a four foot retaining wall topped with a six foot tall two-tone decorative stucco wall and side yard setback, which is permitted in Title 19A. To lessen the exposure of the wall in front of Building 3, the applicant proposes to raise the landscape area in front of the wall facing Tenaya Way to an elevation of 3'6" above the roadway. Also, the site plan indicates additional landscaping along Tenaya Way, as well as transplanting a minimum of five palm trees.

The revised site plan addresses the applicants concerns in regard to cut-through traffic, as well as alleviate staff's concerns of creating a canyon effect along the Tenaya Way frontage.

Staff recommended approval, subject to the conditions.

DAVID BENJAMIN, 7401 West Washington, appeared to represent Triumph Properties. He concurred with the conditions.

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ITEM

ACTION

**ABEYANCE - V-0063-01 - TRIUMPH
PROPERTIES, LIMITED LIABILITY COMPANY**

Public Works

7. Meet with the Traffic Engineering Representative in Land Development for assistance in the redesign of the proposed gated access drives abutting Tenaya Way. Gated access drives shall meet the intent of Standard Drawing #222a, i.e. the proposed gates must be situated such that a vehicle denied access through the gates can turn around on-site without backing out onto the public right-of-way. Comply with the recommendations of the Traffic Engineering Representative prior to the issuance of any permits. If the site plan cannot accommodate an acceptable gating plan, gates may not be allowed on this site.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in protest. He was concerned about the Variance on the setback. Twenty feet seems too much and six feet is too narrow. If block walls continue to be allowed, it will make the valley look like a prison.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item No. C-1 for related discussion.

This is final action.

(8:15 - 8:20) 2 - 1520

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ITEM

ACTION

B-9.

**ABEYANCE - U-0062-01 - AEGIS ASSISTED
LIVING PROPERTIES, LIMITED LIABILITY
COMPANY ON BEHALF OF NEXTEL
COMMUNICATIONS**

Request for a Special Use Permit FOR A PROPOSED 70 FOOT TALL WIRELESS COMMUNICATION MONOPOLE TOWER at 9100 West Desert Inn Road (APN: 163-08-421-005), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 2 (L.B. McDonald).

ON AUGUST 20, 2001 THE APPLICANT REQUESTED THIS ITEM BE WITHDRAWN WITHOUT PREJUDICE.

Truesdell -
WITHDRAWN WITHOUT PREJUDICE.
Unanimous
(Buckley and Quinn excused)

JOEL McCULLOCH, Planning and Development, stated that on August 20, 2001 the applicant requested this item be withdrawn without prejudice.

There was no one present to represent the application.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

This is final action.

(6:08 - 6:09) 1 - 245

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ACTION

B-10.

**ABEYANCE - U-0086-01 - LAMB
BOULEVARD SELF-STORAGE, LIMITED
LIABILITY COMPANY ON BEHALF OF
CINGULAR WIRELESS**

Request for a Special Use Permit FOR A PROPOSED 57 FOOT TALL WIRELESS COMMUNICATION MONOPOLE at 851 North Lamb Boulevard (APN: 140-29-301-004), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

NOTICES MAILED 788 (7/12/01 PC)

APPROVALS 0

PROTESTS 1 (1 inside radius) (7/12/01 PC)
1 (Speaker)

STAFF RECOMMENDATION: APPROVAL,
subject to:

Planning and Development

1. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. All City Code requirements and design standards of all City departments must be satisfied.
3. The communications monopole and its associated equipment and facility shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the communications monopole and its associated equipment.

Truesdell -
APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Unanimous
(Buckley and Quinn excused)

JOEL McCULLOCH, Planning and Development, stated this monopole is compatible with the existing surrounding commercial land use. Staff recommended approval, subject to the conditions.

ROGER SPENCER, Cingular Wireless, 1211 Town Center Drive, Suite 100, said the corner on the northwest was residential and has just been rezoned. There are issues with hazardous materials from the gas stations on both the corners on the east side of Lamb Boulevard. A proposed movie theater/restaurant complex is proposed farther to the east down Washington Avenue that does not have enough space or appropriate height to permit this use.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in protest. He wondered why some of the monopoles are 50 feet and some 70 feet high. If the shorter ones are singular in use, then he is against this request. The pole should be at a height where it would have a multiple use.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the City Council on November 7, 2001.

(8:20 - 8:24) 2 - 1715 - RECESS

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ACTION

B-11.

**ABEYANCE - U-0101-01 - CHURCH
EPISCOPAL CHRIST AND CHURCH
EPISCOPAL DIOCESE NEVADA ON BEHALF
OF VERIZON WIRELESS**

Request for a Special Use Permit FOR A PROPOSED 60 FOOT TALL WIRELESS COMMUNICATION MONOPOLE TOWER at 2100 South Maryland Parkway (APN: 162-03-801-007 and 008), C-V (Civic) and C-1 (Limited Commercial) Zones, Ward 3 (Reese).

ON AUGUST 7, 2001 THE APPLICANT REQUESTED THIS ITEM BE WITHDRAWN WITHOUT PREJUDICE.

Truesdell -
WITHDRAWN WITHOUT PREJUDICE.
Unanimous
(Buckley and Quinn excused)

JOEL McCULLOCH, Planning and Development, stated that on August 7, 2001 the applicant requested this item be withdrawn without prejudice.

DON CATE, Spectrum Surveying & Engineering, 7351 West Charleston Boulevard, agreed that this item should be withdrawn without prejudice.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

(6:09 - 6:11) 1 - 270

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ACTION

B-12.

ABEYANCE - RENOTIFICATION - U-0116-01 **- RONALD AND JUDITH VITTO, ET AL**

Request for a Special Use Permit FOR A PROPOSED 396-UNIT RESIDENCE HOTEL at 4339 North Rancho Road (APN: 138-02-701-009), C-2 (General Commercial) and R-E (Residence Estates) Zones under Resolution of Intent to C-2 (General Commercial), Ward 6 (Mack).

NOTICES MAILED 351 [Mailed with Z-0137-94(4)] (8/23/01 PC)
351 [Mailed with Z-0137-94(4)] (9/20/01 PC)

APPROVALS 0

PROTESTS 69 (8/23/01 PC)
4 (9/20/01 PC)
135 (Petitions)
12 (Speakers)
3 (Prior to Meeting)

CONCERNS: 1 Speaker

STAFF RECOMMENDATION: APPROVAL,
subject to:

Planning and Development

1. If this Special Use Permit is not exercised within two years of this approval, this Special Use Permit shall be null and void unless an Extension of Time is granted.

2. All City Code Requirements and all City Departments design standards shall be met.

3. A Site Development Plan Review application shall be approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Motion carried with Goynes and McSwain voting NO.
(Buckley and Quinn excused)

CHAIRMAN GALATI called this item forward after the recess.

JOEL McCULLOCH, Planning and Development, stated a residence hotel can be compatible with existing and future land uses as long as proper buffering of the adjacent residential uses is provided and elimination of access to Torrey Pines is approved. Staff recommended approval, subject to the conditions.

ASHLEY HALL, 550 East Charleston Boulevard, Suite H, appeared to represent the applicant. This residential hotel is a \$26.5 million upscale Marriott Court style national business and tourist oriented inn and motor court without gaming or liquor being sold on the premises. It will be located on property already zoned C-2. It is flanked on the east and west boundaries by current commercial development and by two single-family homes abutting the property on the south property line, with a third single family home partially abutting the property on the south. The preference is to have almost all the ingress/egress on Rancho Road with none off Torrey Pines.

The principals have established a positive working relationship with the District Attorney and the Sheriff to fully implement the IDL program. That program is designed to enhance the property and community through a spirit of cooperation between the property owners and law enforcement agencies. The IDL provides the property owner with a pre-screening of all potential customers to provided Metro and DA with information on customers that will enable both Metro and the DA to identify, detect and locate individuals whom they may want to apprehend.

Emerald Inn has worked closely with the neighbors. Based on meetings with the neighbors, Emerald Inn is willing to make several modifications. All of this is to help the privacy, safety and aesthetics of the neighborhood. The clientele that Emerald Inn intends to focus on includes a national reservation system for booking business and leisure travelers to Las Vegas and overflow from existing motels in the area, corporate travelers that frequent the Northwest Air Terminal and TDY personnel from Nellis Air Force Base.

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ABEYANCE - RENOTIFICATION - U-0116-01
- RONALD AND JUDITH VITTO, ET AL

DONALD HAMRICK, Emerald Inn, 8012 Clock Tower Court, said there have been several meetings with people in the neighborhood, NARA, and Northwest Network of Neighborhoods. The building facing the homes was reduced from three stories to two stories to accommodate the neighbors. It is acceptable to have a crash gate on Torrey Pines if the City finds that is the best way to handle traffic in the area. If not, they will work with staff. They are receptive to an additional landscape buffer in the southwest corner.

MR. HALL added that the three abutting neighbors can select the trees that they would prefer. They are prepared to provide the necessary eight-foot high decorative block wall.

MR. HAMRICK noted that there would be a conference room on site, which could be used by the neighbors. The property is an eyesore on Rancho at the present time.

MR. HALL said the buildings that are currently on the commercial north side of the property at the intersection of Craig Road and Rancho are higher than the proposed buildings.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in protest. The landscaping needs to be enhanced.

FRED UPLAND, 4333 North Torrey Pines, appeared in protest. **He submitted a petition with 16 signatures and 138 letters in opposition.** This will drastically alter the residents' lifestyle. It is an area where the residents own horses. Two and three story buildings will enable people to look into the neighbors' yards. The traffic on Rancho Road and Torrey Pines is horrific and this will make it worse. Crime will increase. There should not be such high density abutting residential.

TAMMY CORTEZ, 6404 Sapphire Street, appeared in protest. The businesses along this Rancho Road corridor close at 5:00 P.M. They do not need this additional traffic. This is 396-units on a small piece of property. Many of the residents purchased their properties because of the size of the lots. She wants the rural lifestyle to remain.

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ABEYANCE - RENOTIFICATION - U-0116-01
- RONALD AND JUDITH VITTO, ET AL

JAMES ENSLEY, 4217 Jory Trail, appeared in protest. This is not compatible with the neighborhood. It will change the lifestyle and quality of life for the neighborhood. They would like to have the property developed compatibly with the neighborhood and would be willing to meet with the developer. A nursery, storage facility or family-oriented restaurants would be more compatible.

KATHY MASSEY, 6512 Ouida Way, appeared in protest. All of Torrey Pines from Cheyenne is residential, except for the subject property and the one above it. The houses on Torrey Pines have their front doors and lawns facing Torrey Pines. If there is an entrance to this hotel on Torrey Pines the traffic will be greatly increased. They have talked with Metro, which would indicate they are concerned about crime. She was concerned about the noise.

MICHAEL MASSEY, 6512 Ouida Way, appeared in protest. He was concerned about the traffic on Torrey Pines.

JAMES CHILDRESS, 4201 Jory Trail, appeared in protest. His main concern was crime. The hotel rates are almost identical to Budget Suites where there is a lot of crime. The businesses have a difficult time in the area.

NANCY EVANS, 4324 Jadestone Avenue, appeared in protest. If people move in, that could impact the schools. She objected to the height of the buildings. She would prefer a business that closes at 5:00 P.M.

DEBRA COUCHE, 6309 Jennifer Court, appeared in protest. She was aware that this property was zoned C-2 when she purchased her property. This action changes the character of the neighborhood. A national reservation system is not unique to Las Vegas. They do not require any more screening than the hotels on the Strip. The owner has to make money by filling the rooms. All that comes up in pre-screening are those persons that have warrants or an outstanding record. There is a segment of people who stay in these hotels that have challenges. She will not feel comfortable walking in her neighborhood with this hotel. This is not a neighborhood business.

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- RONALD AND JUDITH VITTO, ET AL

ARTHUR J. THOM, 4001 Rhonda Drive, appeared in protest. Transient housing is not needed in the immediate area. There is no crossing at Torrey Pines and Craig Road to access the freeway. Motorists will have to go through a residential area to access Alexander Road, then Rainbow, then back to Craig, before getting onto the freeway. There is no reason to have this facility in the area. This will depress the neighborhood.

LOUISE RUSKAMP, 8500 Log Cabin Way, appeared as a concerned citizen. Some members of the Northwest Network of Neighborhoods met with the representatives of this project, as well as a few representatives from NARA, but the entire neighborhoods were not present. The developer was appearing to address the concerns of the neighborhood. This project was favorably received at their meeting.

IRENE HOUGHLAND, 4333 North Torrey Pines Drive, appeared in protest. She will be looking at this hotel directly across the street from her home. The applicants were aware of residents they could have contacted for a neighborhood meeting.

KAREN HANSEN, 4009 Rhonda Drive, appeared in protest. She was concerned about an increase in crime, particularly for the children in the area. Perhaps this property could be developed with a tech school, business school, art gallery, copy center, restaurant, family entertainment, etc. There will be noise from trucks servicing this hotel. She objected to two and three stories.

CHAIRMAN GALATI declared the Public Hearing closed.

MR. HALL appeared in rebuttal. They contacted the persons who attended the previous Planning Commission meeting. The three adjoining property owners are not in attendance at this meeting. This is a much higher quality than Budget Suites. They have tried to address as many concerns of the neighbors as possible. There will be daily and weekly rates, but not monthly rates. There will not be any impact on the schools. They are willing to work with staff on the traffic situation. A major bank is backing this investment.

MR. HAMRICK noted that Rancho is a commercial thoroughfare. They have met with Councilman Mack and his staff. Crime is a fact of life. They are making a significant investment so it is important they do not have a crime element. There is crime in the nearby mobile home park. This meets all the requirements.

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- RONALD AND JUDITH VITTO, ET AL

MR. HALL noted that many of the residents thought this is a zone change. This should increase the residents' property values.

COMMISSIONER GOYNES attended neighborhood meetings as well as met with individual neighbors. This project seems to be very intrusive to some of the neighbors' properties. He talked to a Metro officer who objected to the kind of element that would be coming into the neighborhood. The developer is making a substantial investment, but the homeowners have also made an investment. He will abide by the wishes of the neighbors.

COMMISSIONER TRUESDELL was concerned about the access on Torrey Pines. DAPHNEE LEGARZA, Public Works, said a crash gate is not approved on Torrey Pines because an active access on Rancho, along with a crash gate on Torrey Pines, would be inadequate to service the proposed density on this site. The Nevada Department of Transportation may only allow one driveway on Rancho and restricted driveway on Torrey Pines.

CHRIS GLORE, Planning and Development, added that NDOT has been inflexible with their access management policy and can barely get one driveway under that policy.

CHAIRMAN GALATI asked the amount of frontage on Rancho Road. RICK SCHRODER, Public Works, said it is 610 feet.

COMMISSIONER TRUESDELL asked if this project was not approved and a higher density restaurant with in-line retail would be built, would there still be a need for an access point on Torrey Pines. MR. GLORE responded that it would depend on the density of the development. There could be an access to either Torrey Pines or joint access with the plaza to the north.

COMMISSIONER TRUESDELL said this property has been zoned C-2 for many years. The medical facility is an ambulatory care facility run by the County. COMMISSIONER GOYNES clarified that it is a Quick Care facility.

COMMISSIONER EVANS noted that the buildings in the back have been reduced from three stories to two stories. MR. MOTA said that the building abutting the neighbors has been reduced to two stories.

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ABEYANCE - RENOTIFICATION - U-0116-01
- RONALD AND JUDITH VITTO, ET AL

COMMISSIONER EVANS was concerned about the landscaping. MR. HALL said they have offered to meet with the residents for the next year to address any of their concerns.

COMMISSIONER McSWAIN felt this is a very nice project that will enhance the area. She thought the crash gate was a given and feels obligated to support the neighbors in their traffic concerns. She suggested to some of the residents that called her that they explore the possibilities of this project because of its aesthetic appeal, C-2 zoning, and what could be constructed on this property, but was unaware that Torrey Pines would be impacted. MR. HALL said their desire is not to impact Torrey Pines. MR. MOTA felt this property is too large to have only one access on Rancho Road, so there needs to be an access on Torrey Pines. That can be done with a median and only a right turn out.

CHAIRMAN GALATI felt an access to Torrey Pines is unacceptable. People that will be staying at this hotel will be coming off Rancho, not through a neighborhood.

COMMISSIONER GOYNES thought people may go around to Torrey Pines if they have a difficult time gaining access on Rancho Road. He did not feel the applicant asked the neighbors to offer their suggestions for this project.

COMMISSIONER TRUESDELL asked for clarification as to whether the Rural Preservation has an effect. DEPUTY CITY ATTORNEY SCOTT said this is already in the buffer area so this project is not increasing the zoning that was already in the buffer area of a Rural Preservation neighborhood.

COMMISSIONER McSWAIN asked the applicant if they would be willing to reduce the building in the back to two stories. MR. HAMRICK said there are no windows on that building facing the residents, but they plan to reduce the building that most closely abuts the residents to two stories.

NOTE: See Item No. B-13 for related discussion.

To be heard by the City Council on November 7, 2001.

(8:43 - 9:50) 2 - 1870

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ACTION

B-13.

ABEYANCE - RENOTIFICATION - Z-0137-94(4) - RONALD AND JUDITH VITTO, ET AL

Request for a Site Development Plan Review and a reduction in perimeter landscaping requirements FOR A PROPOSED 396-UNIT RESIDENCE HOTEL at 4339 North Rancho Road (APN: 138-02-701-009), C-2 (General Commercial) and R-E (Residence Estates) Zones under Resolution of Intent to C-2 (General Commercial), Ward 6 (Mack).

NOTICES MAILED 351 [Mailed with U-0116-01] (8/23/01 PC)
351 [Mailed with U-0116-01] (9/20/01 PC)

APPROVALS 0

PROTESTS 70 (8/23/01 PC)
4 (9/20/01 PC)
3 (Prior to Meeting)
135 (Petitions)
12 (Speakers)

CONCERNS 1 (Speaker)

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. If this Site Development Plan Review is not exercised within two years of the City Council approval, this Site Development Plan Review shall be void unless an Extension of Time is granted.

2. Submit a revised site plan for staff review that reduces the building in the southwest corner of the site to two-stories, in order to comply with residential adjacency standards.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH CONDITION NO. 3 AMENDED TO REQUIRE A CRASH GATE OR CLOSURE ACCEPTABLE TO PUBLIC WORKS ON THE DRIVEWAY OFF TORREY PINES AND ADDITIONAL CONDITION THAT THIS SITE DEVELOPMENT PLAN IS BASED UPON WHAT HAS BEEN REVIEWED AT THIS MEETING.

**Unanimous
(Buckley and Quinn excused)**

CHAIRMAN GALATI called this item forward after the recess.

JOEL McCULLOCH, Planning and Development, stated the proposed buildings in the southwest corner of the site do not meet the Residential Adjacency Standards. Staff recommended a condition requiring those buildings to be reduced to two stories or obtain a Variance to allow the three story buildings. Although Torrey Pines is designated as a secondary arterial on the Master Plan of Streets and Highways, it functions primarily as a residential collector street. There is a condition requiring a median in Torrey Pines and restricted turn movements from Torrey Pines.

The landscape is adequate for the most part. There is a condition that requires the north and south planters to be increased to eight feet in width and that 36 inch box trees are planted 20 feet on center in the southwest corner of the site.

Staff recommended approval, subject to the conditions.

CHAIRMAN GALATI declared the Public Hearing open.

APPEARANCES:

ASHLEY HALL, 550 East Charleston Boulevard, Ste. H
MICHAEL MOTA, Emerald Inn and Motor Court
DONALD HAMRICK, Emerald Inn and Motor Court
TODD FARLOW, 240 North 19th Street
FRED UPLAND, 4333 North Torrey Pines Drive
TAMMY CORTEZ, 6404 Sapphire Street
JAMES ENSLEY, 4217 Jory Trail
KATHY MASSEY, 6512 Ouida Way
MICHAEL MASSEY, 6512 Ouida Way

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

ABEYANCE - RENOTIFICATION - Z-0137-94(4) - RONALD AND JUDITH VITTO, ET AL

3. Submit a revised site plan for staff review that depicts a median in Torrey Pines Drive eliminating left-turn movements out of this site to south-bound Torrey Pines Drive.

4. Submit a revised site plan for staff review that depicts an eight-foot tall decorative block wall around the perimeter of the site, with the exception of along Rancho Drive, which shall be an eight-foot tall wrought iron fence.

5. Submit a revised landscape plan that depicts eight foot wide planters on the north and south property lines and depicts 36-inch box trees 20 feet on center in the southwest corner of the site adjacent to the existing residential properties. All other trees shall be minimum 24-inch box trees and all shrubs shall be minimum 5-gallon.

6. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building.

7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

8. All exterior lighting shall meet the standards of LVMC section 19A.08.060(C).

9. All development shall be in conformance with the submitted site plan, landscape plans, and building elevations, except as amended by conditions.

10. Landscaping and a permanent underground sprinkler system shall be installed prior to occupancy and shall be permanently maintained in a satisfactory manner.

JAMES CHILDRESS, 4201 Jory Trail
NANCY EVANS, 4324 Jadestone Avenue
DEBRA COUCHE, 6309 Jennifer Court
ARTHUR J. THOM, 4001 Rhonda Drive
LOUISE RUSKAMP, 8500 Log Cabin Way
IRENE HOUGHLAND, 4333 North Torrey Pines Drive
KAREN HANSEN, 4009 Rhonda Drive
DAPHNEE LEGARZA, Public Works
CHRIS GLORE, Planning and Development
RICK SCHRODER, Public Works
DEPUTY CITY ATTORNEY BRYAN SCOTT

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item No. B-12 for related discussion.

To be heard by the City Council on November 7, 2001.

(8:43 - 9:50) 2 - 1870

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

ABEYANCE - RENOTIFICATION - Z-0137-94(4) - RONALD AND JUDITH VITTO, ET AL

Public Works

11. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a. Also, the proposed driveway accessing Rancho Drive shall receive approval from the Nevada Department of Transportation.

12. Site development to comply with all previous Conditions of Approval for Zoning Reclassification Z-137-94 and all other subsequent site-related actions.

APPROVED

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

B-14.

ABEYANCE - Z-0024-99(33) - SOUTHWEST DESERT EQUITIES, LIMITED LIABILITY COMPANY ON BEHALF OF PACIFIC PROPERTIES

Request for a Site Development Plan Review FOR A PROPOSED 371-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT on 21.24 acres located north of Alexander Road and west of the Future Beltway (APN: 137-01-401-003, 004, 011, and 012), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown).

NOTICES MAILED 46 (8/23/01 PC)

APPROVALS 1 Speaker

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. Submit a revised site plan for approval of the Planning and Development staff that depicts the required cross-section of the trail alignment along the southern portion of the property.
4. Construct the trail along the southern portion of the property prior to 75% of the subdivision being completed.
5. Submit a revised site plan depicting one tot lot/play area on the northern portion of the site and depicting 13 handicap parking spaces with proper access aisles.

Goynes -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Truesdell abstaining inasmuch as his company has ongoing negotiations with a sister company of the applicant.

(Buckley and Quinn excused)

JOEL McCULLOCH, Planning and Development, stated this site plan depicts an orderly arrangement of buildings and parking areas. Only one recreational facility is depicted for the entire 20 acre site. There is a condition requiring a tot lot play area on the north end of the site. In addition, staff recommended an additional condition in regard to handicapped parking. Staff recommended approval, subject to the conditions.

MARK JONES, Southwest Engineering, 3610 North Rancho Drive, appeared to represent the applicant. He concurred with staff's conditions. He appreciated staff working with them in resolving some issues.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in approval. He wondered if all the requirements have been met on the trails.

MR. McCULLOCH responded that all the trail requirements have been met.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. B-15 and B-16 for related discussion.

This is final action.

(9:15 - 9:50) 3 - 1060

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

**ABEYANCE - Z-0024-99(33) - SOUTHWEST
DESERT EQUITIES, LIMITED LIABILITY
COMPANY ON BEHALF OF PACIFIC
PROPERTIES**

APPROVED

6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

7 Where new water mains are extended along streets and fire hydrants are not needed for protection of structures, hydrants shall be spaced at a maximum distance of 1,000 feet.

8. All mechanical structures shall be screened from public view.

Public Works

9. Vacation application, such as VAC-0024-01, shall record prior to the issuance of any building permits overlying the area to be vacated.

10. Dedicate 40 feet of right-of-way adjacent to this site for Alexander Road and appropriate right-of-way for the future bridge embankment crossing the Beltway, dedicate 30 feet for Hickam Avenue including the portion of the cul-de-sac bulb not already dedicated prior to the issuance of any permits. Coordinate with the Clark County Department of Public Works to determine what additional rights-of-way may be needed for possible bridge embankments for the overpass of Alexander Road, and provide written documentation from Clark County identifying such rights-of-way, or lack thereof, prior to the issuance of any permits.

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

**ABEYANCE - Z-0024-99(33) - SOUTHWEST
DESERT EQUITIES, LIMITED LIABILITY
COMPANY ON BEHALF OF PACIFIC
PROPERTIES**

APPROVED

11. Construct half-street improvements including appropriate overpaving, if legally able, on Alexander Road and Hickam Avenue adjacent to this site concurrent with development of this site. Also, if legally able, construct the full radius of the cul-de-sac bulb for the termination of Hickam Avenue concurrent with the development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site.

12. If not already constructed at time of development, extend public sewer in Alexander Road to the west edge of this site to a location and depth acceptable to the City Engineer.

13. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

14. Gated access drives shall be designed, located and constructed in accordance with Standard Drawing #222a.

15. The design and layout of all on-site private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.

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ITEM

ACTION

**ABEYANCE - Z-0024-99(33) - SOUTHWEST
DESERT EQUITIES, LIMITED LIABILITY
COMPANY ON BEHALF OF PACIFIC
PROPERTIES**

APPROVED

16. An update to the master Traffic Impact Analysis for the Lone Mountain West Planned Development must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

PLANNING COMMISSION

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

**ABEYANCE - Z-0024-99(33) - SOUTHWEST
DESERT EQUITIES, LIMITED LIABILITY
COMPANY ON BEHALF OF PACIFIC
PROPERTIES**

APPROVED

17. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first, if allowed by the City Engineer.

18. Site development to comply with all applicable Conditions of Approval for Zoning Reclassification Z-23-99, the required update to the master Traffic Impact Analysis, and all other site-related actions.

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

B-15.

**ABEYANCE - VAC-0023-01 - SOUTHWEST
DESERT EQUITIES, LIMITED LIABILITY
COMPANY**

Petition to vacate a public sewer easement generally located adjacent to the west side of the Las Vegas Beltway, six hundred ninety feet north of Alexander Road, Ward 4 (Brown).

NOTICES MAILED 1 (8/23/01 PC)

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL,
subject to:

1. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.

2. All development shall be in conformance with code requirements and design standards of all City Departments.

3. All public improvements, if any, adjacent to and in conflict with this Vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.

Goynes -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Truesdell abstaining inasmuch as his company has ongoing negotiations with a sister company of the applicant.

(Buckley and Quinn excused)

JOEL McCULLOCH, Planning and Development, stated this alignment is no longer necessary. Staff recommended approval, subject to the conditions.

MARK JONES, Southwest Engineering, 3610 North Rancho Drive, appeared to represent the applicant. He concurred with staff's conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. B-14 and B-16 for related discussion.

To be heard by the City Council on November 7, 2001.

(9:15 - 9:50) 3 - 1060

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

**ABEYANCE - VAC-0023-01 - SOUTHWEST
DESERT EQUITIES, LIMITED LIABILITY
COMPANY**

4. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #3 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the Vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.

If the Order of Vacation is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

APPROVED

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

B-16.

**ABEYANCE - VAC-0024-01 - SOUTHWEST
DESERT EQUITIES, LIMITED LIABILITY
COMPANY**

Petition to vacate a portion of Hickam Street generally located west of the Las Vegas Beltway, Ward 4 (Brown).

NOTICES MAILED 2 (8/23/01 PC)

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL,
subject to:

1. This Petition of Vacation shall be amended to retain those portions of Hickam Street on the north edge of this site, necessary to complete a cul-de-sac on Hickam Street.

2. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved drainage plan/study. The drainage plan for Z-24-99(33) may be used to fulfill this condition.

3. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.

4. All development shall be in conformance with code requirements and design standards of all City Departments.

5. All public improvements, if any, adjacent to and in conflict with this Vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.

Goynes -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Truesdell abstaining inasmuch as his company has ongoing negotiations with a sister company of the applicant.

(Buckley and Quinn excused)

JOEL McCULLOCH, Planning and Development, stated this Vacation would not result in a reduced traffic handling capacity. Staff recommended approval, subject to the conditions.

MARK JONES, Southwest Engineering, 3610 North Rancho Drive, appeared to represent the applicant. He concurred with staff's conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. B-14 and B-15 for related discussion.

To be heard by the City Council on November 7, 2001.

(9:15 - 9:50) 3 - 1060

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

**ABEYANCE - VAC-0024-01 - SOUTHWEST
DESERT EQUITIES, LIMITED LIABILITY
COMPANY**

APPROVED

6. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #5 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.

7. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

B-17.

GPA-0019-01 - CITY OF LAS VEGAS

Request to Amend portions of the Town Center Land Use Plan on the southwest and southeast corners of the proposed beltway and U.S. 95 interchange, FROM: SC-TC (Service Commercial - Town Center) TO: GC-TC (General Commercial - Town Center); FROM: GC-TC (General Commercial - Town Center) and SC-TC (Service Commercial - Town Center) TO: PF-TC (Public Facility - Town Center) and FROM: SX-TC (Suburban Mixed-Use) TO: GC-TC (General Commercial - Town Center), (APN: 125-29-502-004 (portion), 125-28-201-001, 125-28-210-002 (portion), 125-28-610-004 (portion), 125-28-610-003 (portion), 125-27-301-005 and 006, 125-27-401-008 (portion), 125-27-402-005, 125-28-503-001 (portion), 125-27-101-022 and 024), Ward 6 (Mack).

NOTICES MAILED: 2026

APPROVALS: 7 (Speakers)

PROTESTS: 9 (Speakers)

STAFF RECOMMENDATION: None

**Truesdell -
DENIED**

Motion for APPROVAL did not carry due to the lack of a super majority with Evans and Goynes voting NO and Galati, McSwain and Truesdell voting YES. (Buckley and Quinn excused)

CHAIRMAN GALATI called this item after Item Nos. B-3 and B-4. He declared the Public Hearing open.

APPEARANCES:

ROBERT GENZER, Planning and Development

CHRIS KNIGHT, Planning and Development

CITY ATTORNEY BRAD JERBIC

CAROL IRVIN, 7150 Everly Court

ATTORNEY PAUL LARSEN, Lionel Sawyer & Collins, 300 South 4th Street, represented Courtesy Auto Dealerships

ATTORNEY CHRIS KAEMPFER, Kummer Kaempfer Bonner & Renshaw, represented Findlay Auto Dealerships

PEGGY REIGER, 8117 Sunset Road

RUSSELL ROE, 3800 Howard Hughes Parkway, represented Jim Marsh Auto Dealerships

JIM VELTMAN, Veltman Planning & Design Group

THOMAS KINSORA, 6013 Golden Saddle

DEBBIE KINSORA, 6013 Golden Saddle

MANNY ARIAS, 8237 Fawn Heather Court

PHYLLIS SCHWARTZ, Realtor

STEVE SWISHER, Swisher & Hall, represented Courtesy Auto Dealerships

WALTER SMITH, 7429 Painted Shadows Way

MICHAEL MONAHAN, 8590 West Regena Avenue

TERRI STURM, 7448 West Sahara Avenue

TODD FARLOW, 240 North 19th Street

MATTHEW CALLISTER, 5911 Manuel Drive

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Verbatim Transcript made a part of the Final Minutes.

To be heard by the City Council on October 17, 2001 not prior to 4:00 P.M.

(6:44 - 8:15) 1 - 1460/2 - 1

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

B-18.

Z-0062-01 - COLEMAN-TOLL, LIMITED PARTNERSHIP ON BEHALF OF PULTE HOMES

Request for a Rezoning FROM: U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation] TO: R-PD2 (Residential Planned Development - 2 Units per Acre) on 80.77 acres adjacent to the northwest corner of Elkhorn Road and Rainbow Boulevard (APN: 125-15-801-001), PROPOSED USE: SINGLE FAMILY RESIDENTIAL, Ward 6 (Mack).

NOTICES MAILED 196 [Mailed with Z-0062-01(1)]

APPROVALS 3 (Speakers)

PROTESTS 1 (Speaker)

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.

2. The overall residential density is limited to a maximum of 2.00 dwelling units per acre.

3. A Site Development Plan Review application shall be approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Dedicate 40 feet of right-of-way adjacent to this site for Tenaya Way, 50 feet for Elkhorn Road, 50 feet for Rainbow Boulevard, a 54 foot radius on the northeast corner of Elkhorn Road and Tenaya Way, and a 54 foot radius on the northwest corner of Elkhorn Road and Rainbow Boulevard prior to the issuance of any permits.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Unanimous

(Buckley and Quinn excused)

JOEL McCULLOCH, Planning and Development, stated this rezoning to R-PD2 would be consistent with the General Plan designation and within the allowable densities for the DR (Desert Rural) land use designation. There are developed R-PD2 communities to the north and southwest of this site. Staff recommended approval, subject to the conditions.

CHAIRMAN GALATI declared the Public Hearing open.

APPEARANCES:

STEVE YOUNGBERG, Pentacore Engineering, 6763 West Charleston Boulevard

NEIL GALATZ, 7350 North Rainbow Boulevard

GERALD GILLOCK, 7555 Sisk Road

TODD FARLOW, 240 North 19th Street

SHAWN DANOSKI, 7220 Solar Avenue

DAPHNEE LEGARZA, Public Works

DON PETERSON, Pulte Homes

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item No. B-19 for related discussion.

To be heard by the City Council on November 7, 2001.

(9:56 - 10:17) 3 - 1260

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

**Z-0062-01 - COLEMAN-TOLL, LIMITED
PARTNERSHIP ON BEHALF OF PULTE
HOMES**

APPROVED

5. Construct half-street improvements including appropriate overpaving, if legally able, on Tenaya Way, Rainbow Boulevard and Elkhorn Road adjacent to this site concurrent with development of this site. The required half-street improvements on Rainbow Boulevard may be constructed to a 40-foot half-street width within the required 50-foot dedication. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site.

6. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact

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ITEM

ACTION

**Z-0062-01 - COLEMAN-TOLL, LIMITED
PARTNERSHIP ON BEHALF OF PULTE
HOMES**

APPROVED

Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits or the recordation of a Final Map, whichever may occur first, if allowed by the City Engineer.

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ITEM

ACTION

**Z-0062-01 - COLEMAN-TOLL, LIMITED
PARTNERSHIP ON BEHALF OF PULTE
HOMES**

APPROVED

8. Landscape and maintain all unimproved right-of-way on Rainbow Boulevard adjacent to this site.

9. Submit an Encroachment Agreement for all landscaping and private improvements located in the Rainbow Boulevard public right-of-way adjacent to this site prior to occupancy of this site.

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ITEM

ACTION

B-19.

Z-0062-01(1) - COLEMAN-TOLL, LIMITED PARTNERSHIP ON BEHALF OF PULTE HOMES

Request for a Site Development Plan Review and Reduction of Required Minimum Street Width FOR A 161-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 80.77 acres adjacent to the northwest corner of Elkhorn Road and Rainbow Boulevard (APN: 125-15-801-001), U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation [PROPOSED: R-PD2 (Residential Planned Development - 2 Units per Acre)], Ward 6 (Mack).

NOTICES MAILED 196 [Mailed with Z-0062-01]

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. If this Site Development Plan Review is not exercised within two years of the City Council approval, this Site Development Plan Review shall be void unless an Extension of Time is granted.
2. Approval of a General Plan Amendment to revise Map #7 of the Centennial Hills Sector Map to realign the trail along Rio Vista Street to Rainbow Boulevard.
3. Submittal of a revised site plan depicting the new trail alignment along Elkhorn Road and Rainbow Boulevard.
4. Submittal of cross-sections for staff review of a trail located on the north side of Elkhorn Road and Rainbow Boulevard.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH CONDITION NO. 6 AMENDED AND ADDITIONAL CONDITION THAT THE TENTATIVE MAP COME BACK TO PLANNING COMMISSION AS A PUBLIC HEARING.

Unanimous

(Buckley and Quinn excused)

JOEL McCULLOCH, Planning and Development, stated this site plan does not meet the standards of the Centennial Hills Sector Plan with regard to trails depicted on Rio Vista Street. A General Plan Amendment will have to be approved by the City Council to move the alignment of the trail. In addition, the applicant has requested a waiver to the street width requirements of Title 18. Staff recommended denial of that request. Staff met with the applicant on September 19, 2001 when the applicant agreed to provide the minimum 37-foot wide streets. Further, staff found that 15-foot rear yard setbacks do not meet the intent of a rural atmosphere. Therefore, there is a condition allowing only six lots along the perimeter of Tenaya Way and Elkhorn Road to have 15-foot rear yard setbacks.

Staff recommended approval, subject to the conditions, with a revision to Condition No. 6 as follows: "Fifteen feet to the garage side loaded or 25 feet to a front loaded garage, 21 feet to the house, a minimum of 5 feet on the side with a 20 foot aggregate, a minimum of 15 feet for the corner side yard, unless a common open space is provided, in which case 10 feet is allowable, a minimum of 25 feet in the rear of the perimeter lots with the exception of 6 lots along the perimeter of Elkhorn Road and Tenaya Way, which may have 15 foot rear yards, and all interior lots shall have 15 foot rear yard setbacks. In addition, a 2 foot reduction in the front yard setback is allowed on cul-de-sacs and knuckles."

STEVE YOUNGBERG, Pentacore Engineering, 6763 West Charleston Boulevard, said they have worked out the details with staff. Pulte Homes has agreed to withdraw their request for a narrow street. He agreed with staff's conditions.

CHAIRMAN GALATI declared the Public Hearing open.

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ACTION

Z-0062-01(1) - COLEMAN-TOLL, LIMITED PARTNERSHIP ON BEHALF OF PULTE HOMES

5. Submittal of a revised site plan depicting minimum private street widths of 37 feet.

6. The setbacks for this development shall be a minimum of 18 feet to the garage (side loaded) or 28 feet to the garage (front loaded), 24 feet to the house; a minimum of 5 feet on the side (aggregate 20 feet); a minimum of 15 feet on the corner side; a minimum of 25 feet in the rear (perimeter lots), or 15 feet in the rear (interior lots), a 2 foot reduction in front yard setbacks is allowed on cul-de-sac and knuckle lots.

7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Air conditioning units shall not be mounted on rooftops.

Public Works

8. This site plan shall be redesigned to comply with the Title 18 - Subdivision Ordinance which requires private street widths of 37-feet for L-curb or 39-feet for rolled curb. The Tentative Map for this site shall reflect compliance with such requirements.

9. Meet with the Traffic Engineer for assistance in the possible redesign of the proposed access drives, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Gated access drives, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222a.

10. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.

NEIL GALATZ, 7350 North Rainbow Boulevard, appeared in approval. He did not object to the basic concept. First, on any plan checks there should be a public hearing so that the residents will know what is being developed. He does not want the access on Rainbow Boulevard or Farm Road. He was also concerned about drainage and wants a condition referencing it. His understanding is that this project is to be maintained by the homeowner and that there is a Letter of Agreement with the Greenspun-Gale families to take care of the surface nuisance water. The residents don't want any interior street lights. The trail is supposed to go through the middle of the project. He wants it to continue on the west side of Rainbow to join Mountain Spa.

GERALD GILLOCK, 7555 Sisk Road, appeared in approval. The equine trail should be on the east side of this property and the west side of Rainbow. The Greenspun-Gale letter states they will take care of the nuisance water drainage at the corner of Rainbow and Elkhorn and there was to be compensation in exchange for this nuisance water. That should be made part of the conditions.

TODD FARLOW, 240 North 19th Street, appeared in protest. He saw a map that shows the trail that runs down Rainbow, but not through the property.

SHAWN DANOSKI, 7220 Solar Avenue, appeared in approval. He wants this development to comply with the rural and trail requirements.

CHAIRMAN GALATI declared the Public Hearing closed.

MR. McCULLOCH explained that the trail currently runs through the center of this property. The trail plan shows that Rio Vista trail be located to Rainbow Boulevard on the west side. The applicant plans to file a separate General Plan Amendment to relocate that trail just in case the City's trail plans get held up. It will be an equestrian trail that will be relocated along the southern portion of this property and then along the side of Rainbow.

DAPHNEE LEGARZA, Public Works, said the City does not have street standards for the interior of subdivisions. They may have to submit a letter or agreement from an adjacent property owner along with the drainage study.

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Z-0062-01(1) - COLEMAN-TOLL, LIMITED PARTNERSHIP ON BEHALF OF PULTE HOMES

11. A Master Streetlight Plan for the overall subdivision shall be approved prior to the submittal of any construction drawings for this site.

12. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections. The CC&R's for the Homeowner's Association shall be submitted to and approved by the City Attorney's Office.

13. Site development to comply with all applicable Conditions of Approval for Zoning Reclassification Z-62-01 and all other site-related actions.

DON PETERSON, Pulte Homes, said that in regard to the streetlights on the interior they would work with the neighbors on that issue and work with the City on the perimeter lighting. He does not want to tie a condition regarding the drainage to the letter from the adjacent property owner. They are agreeable to locating the trail wherever the City would prefer. The master drainage study addresses the entire 160 acres, which includes Pulte Homes 80 acres on the south and Toll Brothers 80 acres on the north. The plan is to disburse the nuisance water on the southeast corner of Elkhorn and Rainbow.

MS. LEGARZA added that there would be a requirement of the flood study that a letter be obtained from the property owners where the nuisance waters would flow.

NOTE: See Item No. B-19 for related discussion.

To be heard by the City Council on November 7, 2001.

(9:56 - 10:17) 3 - 1260

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ITEM

ACTION

B-20.

Z-0063-01 - CONCORDIA HOMES OF NEVADA

Request for a Rezoning FROM: U (Undeveloped) Zone [ML-TC (Medium Low Density Residential) General Plan Designation]] TO: TC (Town Center) Zone on 10.03 acres located adjacent to the northeast corner of the Deer Springs Way and Campbell Road alignments (APN: 125-20-201-013 and 014), PROPOSED USE: SINGLE FAMILY RESIDENTIAL, Ward 6 (Mack).

NOTICES MAILED 39 [Mailed with Z-0063-01(1)]

APPROVALS 0

PROTESTS 1 (Speaker)

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.

2. A Site Development Plan Review application shall be approved by the Planning Commission or City Council prior to approval of a Tentative Map, issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate 40 feet of right-of-way adjacent to this site for Deer Springs Way prior to the issuance of any permits.

4. Construct half-street improvements including appropriate overpaving, if legally able, on Deer Springs Way concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site.

Evans -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Unanimous

(Buckley and Quinn excused)

JOEL McCULLOCH, Planning and Development, stated this rezoning will be consistent with the General Plan designation and is within the allowable densities for the ML-TC designation. This request will help find a need for single-family development within the Town Center. Staff recommended approval, subject to the conditions.

GREG BARGULL, CVL Consultants, 6280 South Valley View Boulevard, Suite 200, appeared to represent the applicant. He wanted to make sure there would be refunding for the extension of the oversizing of the sewer along Deer Springs.

DAPHNEE LEGARZA, Public Works, said in the case of the sewer oversizing there is typically a refunding. DEPUTY CITY ATTORNEY BRYAN SCOTT explained that typically an Oversizing and Extension Agreement is signed by the developer and the City. The oversizing money would be refunded at the beginning and the extension money refunded over a ten-year period.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in protest.

CHAIRMAN GALATI declared the Public Hearing closed. He did not feel he had enough information to see this development to be unique and exciting.

NOTE: See Item No. B-21 for related discussion.

To be heard by the City Council on November 7, 2001.

(10:17 - 10:31) 3 - 2088

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Z-0063-01 - CONCORDIA HOMES OF NEVADA

APPROVED

5. Provide a minimum of two lanes of paved, legal access to this site prior to occupancy of any units within this development.

6. Coordinate with the Collection Systems Planning Section of the Department of Public Works to extend oversized public sewer in the Deer Springs Way alignment to the west edge of this site to a location and depth acceptable to the City Engineer. All required public sewer easements, if any, necessary to connect this site to the existing public sewer system shall be provided to the City prior to City approval of sewer construction plans, or the issuance of any offsite permits. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits.

7. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site

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APPROVED

development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits or the recordation of a Final Map, whichever may occur first, if allowed by the City Engineer.

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Z-0063-01 - CONCORDIA HOMES OF NEVADA

APPROVED

9. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

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ITEM

ACTION

B-21.

Z-0063-01(1) - CONCORDIA HOMES OF NEVADA

Request for a Site Development Plan Review and Waiver of Street Requirements FOR A PROPOSED 78-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 10.03 Acres located adjacent to the northeast corner of the Deer Springs Way and Campbell Road alignments (APN: 125-20-201-013 and 014), U (Undeveloped) Zone [ML-TC (Medium-Low Density Residential) General Plan Designation] [PROPOSED: TC (Town Center)], Ward 6 (Mack).

NOTICES MAILED 39 [Mailed with Z-0063-01]

APPROVALS 0

PROTESTS 1 (Speaker)

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The City Council shall approve a Rezoning (Z-0063-01) to T-C (Town Center).

2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

3. The applicant shall meet with the City Fire Department on the length of the private drives.

4. The setbacks for this development shall be a minimum of:

Front (to House)	5	Feet
Front (to Garage)	5	Feet
Side	5	Feet
Corner Side	10	Feet
Rear	14	Feet

Evans -

ABEYANCE TO THE OCTOBER 18, 2001 PLANNING COMMISSION MEETING (Allow applicant time to work with staff on site related issues).

Motion carried with Truesdell abstaining. (Buckley and Quinn excused)

JOEL McCULLOCH, Planning and Development, stated this site plan is for 78 single-family cluster lots on approximately 10 acres within the Town Center planning area. This site plan presents an effective layout of lots and internal streets. The private drives are approaching the Fire Department maximum of 150 feet. There is a condition requiring the applicant to meet with the Fire Department to resolve any possible problems. Further, staff finds the proposed density is within the parameters of the existing zoning district on the property. Staff recommended approval, subject to the conditions.

GREG BARGULL, CVL Consultants, 6280 South Valley View Boulevard, Suite 200, appeared to represent the applicant. He wanted to make sure there would be refunding for the extension of the oversizing of the sewer along Deer Springs. In addition, in regard to the 10 foot corner setbacks, he asked if that would be back of curb or adjacent to open space.

MR. McCULLOCH responded that staff would be willing to adjust the condition so that if there is a common open space adjacent to the corner that it be five feet plus the common space.

DAPHNEE LEGARZA, Public Works, said in the case of the sewer oversizing there is typically a refunding. DEPUTY CITY ATTORNEY BRYAN SCOTT explained that typically an Oversizing and Extension Agreement is signed by the developer and the City. The oversizing money would be refunded at the beginning and the extension money refunded over a ten-year period.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in protest. He objected to waivers on the Town Center concept. Town Center was supposed to be a walkable community.

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Z-0063-01(1) - CONCORDIA HOMES OF NEVADA

5. The applicant shall have constructed a six-foot high decorative block wall, with at least 20 percent contrasting materials, along the street frontages. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

6. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Air conditioning units shall not be mounted on rooftops.

8. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.

10. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

11. This site plan shall be designed to comply with the Town Center Residential Public Street Standards which require a minimum of 5 foot sidewalks on both sides of the street. The Tentative Map for this site shall reflect compliance with such requirements.

CHAIRMAN GALATI declared the Public Hearing closed. He did not feel he had enough information to see this development to be unique and exciting. He asked where there will be guest parking within the clusters. Typically the driveway is a certain depth so guests can park in the driveway. He was concerned there would be parking conflicts in the clusters. How are the views from one house to the other?

MR. BARGULL said there will be a wall separating the back yards. The driveway will be common within each cluster and common landscaping areas.

CHAIRMAN GALATI objected to the site plan. He likes this product. He wanted to be proud of the first projects in Town Center.

NOTE: See Item No. B-20 for related discussion.

To be heard by the Planning Commission on October 18, 2001.

(10:17 - 10:31) 3 - 2110

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Z-0063-01(1) - CONCORDIA HOMES OF NEVADA

12. Meet with the Traffic Engineering Representative in Land Development for assistance in redesigning the proposed street layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first.

13. A Master Streetlight Plan for the overall subdivision shall be approved prior to the submittal of any construction drawings for this site.

14. Site development to comply with all applicable Conditions of Approval for Zoning Reclassification Z-63-01 and all other subsequent site-related actions.

ABEYANCE TO OCTOBER 18, 2001

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ACTION

B-22.

V-0065-01- SMOKE FOUNTAIN, LIMITED

Request for a Variance TO ALLOW THREE (3) 50 FOOT TALL FLAGPOLES on 20.5 acres at 2300 Rock Springs Drive (APN: 138-22-502-001; 138-22-602-001; 138-22-502-002), R-3 (Medium Density Residential) Zone, Ward 6 (Mack).

NOTICES MAILED 64

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL,
subject to:

Planning and Development

1. This Variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

2. The three flagpoles shall each consist of either one of the two United States flags or the State of Nevada flag, no other flag is permitted.

Public Works

3. Obtain approval from the Nevada Department of Transportation (NDOT) for any flagpoles located within NDOT right-of-way, alternatively the flagpoles shall be relocated to be within the property boundaries of this site.

**McSwain -
DENIED (Insufficient justification)
Unanimous
(Buckley and Quinn excused)**

LAURA MARTIN, Planning and Development, stated two of these flagpoles would be used for United States flags and one for a State of Nevada flag. This Variance request exceeds this site limitation by 10 feet. There is no evidence of any extraordinary or unique circumstance, but this is an increase of 20% and will not create a negative impact on adjacent properties. There is a condition that only the two United States flags and the State of Nevada flag be flown on the subject flagpoles. Staff recommended approval, subject to the conditions.

TIM AYALA, 4600 Sunset Road, Suite 148, Henderson, Nevada, appeared to represent the applicant. He concurred with staff's conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

COMMISSIONER TRUESDELL wondered why the applicant wants to put a flagpole on the side of the property adjacent to the freeway, rather than at the main entrance.

MR. AYALA responded that it is on the main entrance on the north side and also on the south side. There is a difference in grading between the freeway and this property so at 50 feet these flags can be seen from the freeway. The flags will be taken down every night.

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V-0065-01- SMOKE FOUNTAIN, LIMITED

COMMISSIONER McSWAIN felt that 50-foot high flagpoles on the property is inappropriate. She felt patriotism can be expressed at 40 feet and conform to the requirements of the City.

COMMISSIONER EVANS wanted only the U.S. and Nevada flags flown, not flags used for advertising.

CHAIRMAN GALATI wondered if the idea is to be patriotic or attract people off the freeway.

This is final action.

(10:31 - 10:38) 3 - 2720

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ACTION

B-23.

V-0111-96(1) - PALM MORTUARY, INC.

Required Five Year Review on an approved Variance, which allowed upright headstones, crypts and mausoleums in conjunction with a cemetery adjacent to the southwest corner of Jones Boulevard and Deer Springs Way (APN: 125-23-703-005), R-E (Residence Estates) Zone, Ward 6 (Mack).

NOTICES MAILED 64 [Mailed with U-0099-96(1)]

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: Approval, subject to:

Planning and Development

1. There shall be no additional reviews of this Variance by the Planning Commission and City Council.

2. The use shall comply with all previous Conditions of Approval under U-0099-96(1).

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Unanimous

(Buckley and Quinn excused)

LAURA MARTIN, Planning and Development, stated original approval of the Variance required a Five Year Review to insure that the site was developed pursuant to the commitments made and that upright monuments would be limited to three feet in height. The existing cemetery has developed according to the original Conditions of Approval and has demonstrated to be an appropriate use for the site. No further reviews are recommended. Staff recommended approval, subject to the conditions.

CHAIRMAN GALATI said the applicant approached him during the recess and said the adjacent house to his was on fire and he had to leave the meeting. The applicant advised him that he concurred with the conditions. He declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item No. B-24 for related discussion.

To be heard by the City Council on November 7, 2001.

(10:38 - 10:42) 3 - 3120

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ACTION

B-24.

U-0099-96(1) - PALM MORTUARY, INCORPORATED

Required Five Year Review on an approved Special Use Permit, which allowed a cemetery with a single-story 10,548 square foot chapel adjacent to the southwest corner of Jones Boulevard and Deer Springs Way (APN: 125-23-703-005), R-E (Residence Estates) Zone, Ward 6 (Mack).

NOTICES MAILED 64 [Mailed with V-0111-96(1)]

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. There shall be no additional reviews of this Special Use Permit by the Planning Commission and City Council.

2. Site development to comply with all applicable Conditions of Approval for U-0099-96 and all other site-related actions as required by the Planning and Development and Public Works Departments.

Truesdell -
APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Unanimous
(Buckley and Quinn)

LAURA MARTIN, Planning and Development, stated the original approval of this Special Use Permit required a Five Year Review to ensure the appropriateness of a cemetery use in the area. The existing cemetery is an appropriate use for the site and she does not recommend any further reviews. Staff recommended approval, subject to the conditions.

CHAIRMAN GALATI said the applicant approached him during the recess and said the adjacent house to his was on fire and he had to leave the meeting.

MS. MARTIN said she spoke to the applicant about amending Condition No. 3 and felt he was in agreement. CHAIRMAN GALATI suggested staff should discuss those changes further with the applicant prior to the City Council hearing.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item No. B-23 for related discussion.

To be heard by the City Council on November 7, 2001.

(10:38 - 10:42) 3 - 3120

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ITEM

ACTION

U-0099-96(1) - PALM MORTUARY, INCORPORATED

Public Works

3. Construct half-street improvements including appropriate overpaving on Jones Boulevard adjacent to this site as required by the Department of Public Works. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Construction of all required improvements on Jones Boulevard shall commence within 12 months of approval of this action by the City Council. Failure to comply with this condition shall result in this item being reconsidered by the City Council.

4. This site shall participate in the public improvement project to extend public sewer from the existing termination point in Jones Boulevard to Farm Road (i.e. contribute \$40,500 as this site's proportionate share of the required improvements) within 90 days of approval of this action by the City Council. Failure to comply with this condition shall result in this item being reconsidered by the City Council.

APPROVED

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ITEM

ACTION

B-25.

**U-0075-96(1) - MINI-MASTERS, INC. ON
BEHALF OF CLEAR CHANNEL OUTDOOR**

Required Five Year Required Review on an approved Special Use Permit which allowed a 14 foot x 48 foot off-premise advertising (billboard) sign at 6900 West Craig Road (APN: 138-03-602-015), C-1 (Limited Commercial) Zone, Ward 6 (Mack).

NOTICES MAILED 344

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL,
subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19A including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19A has been approved for the new structure by the City Council.

3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

Goynes -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Truesdell abstaining inasmuch as his client owns the property.

(Buckley and Quinn excused)

LAURA MARTIN, Planning and Development, stated the area immediately surrounding the subject site has not changed substantially since the original approval of this Special Use Permit. There is a condition recommending a two (2) year review to ensure the appropriateness of the sign. Staff recommended approval, subject to the conditions.

R. VAN NOSTRAND, Clear Channel Outdoor, 1211 West Bonanza Road, said he concurs with the conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the City Council on November 7, 2001.

(10:42 - 10:43) 3 - 3260

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ITEM

ACTION

B-26.

**U-0080-96(1) - WILLIAM S. BOYD TRUST II,
ET AL ON BEHALF OF CALIFORNIA HOTEL
AND CASINO**

Required Five Year Review on an approved Special Use Permit which allowed four (4) 14 foot x 48 foot off-premise advertising (billboard) signs adjacent to the east side of Rancho Drive, south of Coran Lane (APN: 139-19-705-001), C-2 (General Commercial) Zone and U (Undeveloped) [SC (Service Commercial) General Plan Designation], Ward 5 (Weekly).

NOTICES MAILED 128

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Special Use Permit shall be reviewed in two (2) years, or if a Site Development Plan Review application is filed for the subject site, at which time the Special Use Permit shall be reviewed by the Planning Commission and City Council, and the City Council may require the off-premise advertising (billboard) sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

2. If the existing off-premise advertising sign structures are removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19A including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19A has been approved for the new structure by the City Council.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Unanimous

(Buckley and Quinn excused)

LAURA MARTIN, Planning and Development, stated the continued use of these signs is appropriate as the vicinity has not changed substantially in the past five years. The continuation of these billboards would be appropriate for the next two years unless development occurs on the site. Staff recommended approval, subject to the conditions.

BLAKE CUMBERS, Boyd Gaming Corporation, 2950 Industrial Road, appeared to represent the applicant. He concurred with staff's conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

COMMISSIONER McSWAIN said there is overhead power so she would be in favor, but if that overhead power is removed, she would also want the billboards removed.

To be heard by the City Council on November 7, 2001.

(10:43 - 10:45) 3 - 3330

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ITEM

ACTION

**U-0080-96(1) - WILLIAM S. BOYD TRUST II,
ET AL ON BEHALF OF CALIFORNIA HOTEL
AND CASINO**

APPROVED

3. The off-premise advertising (billboard) signs and their supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) signs.

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

B-27.

U-0124-01 - MBP INDUSTRIES, LC ON BEHALF OF ULTIMATE COLLISION

Request for a Special Use Permit FOR A PROPOSED AUTO PAINT & BODY REPAIR SHOP on 1.3 acres adjacent to the west side of Rancho Drive, approximately 265 feet north of Cheyenne Avenue (APN: 138-12-801-009), C-2 (General Commercial) Zone, Ward 6 (Mack).

NOTICES MAILED 154 [Mailed with SD-0055-01]

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to all Conditions of Approval listed in Title 19A.04.050 Auto Paint and Body Repair Shop.
2. All City Code requirements and design standards of all City departments must be satisfied.
3. If this Special Use Permit is not exercised within two-years of this approval, this Special Use permit shall be void unless an Extension of Time is granted.

Truesdell -
APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Unanimous
(Buckley and Quinn excused)

JOEL McCULLOCH, Planning and Development, stated that a stand alone auto paint and body repair shop at this location can be conducted in a manner that is harmonious and compatible with the other commercial development along Rancho Drive, as long as all the required criteria are adhered to. Staff recommended approval, subject to the conditions.

RICHARD MORENO, Moreno & Associates, 300 South 4th Street, 15th Floor, appeared to represent the applicant. He requested this item be fast tracked to the October 17, 2001 City Council meeting so it can be heard with their Site Development Plan Review.

ROBERT GENZER, Planning and Development, objected to having this item heard at the October 17, 2001 City Council meeting.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed and announced there would be a recess after the vote was posted.

CHAIRMAN GALATI recalled this item after the recess.

MR. GENZER said that during the recess staff informed him that the related Site Development Plan Review is final action, so he agreed to fast track this item to the October 17, 2001 City Council meeting.

To be heard by the City Council on October 17, 2001.

(10:45 - 10:47) 3 - 3450 - RECESS - (11:00 - 11:02) - 3 - 3600

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ITEM

ACTION

B-28.

**SD-0055-01 - MBP INDUSTRIES, LC ON
BEHALF OF ULTIMATE COLLISION**

Request for a Site Development Plan Review FOR A PROPOSED 15,880 SQUARE FOOT AUTO PAINT & BODY REPAIR SHOP on 1.3 acres adjacent to the west side of Rancho Drive, approximately 265 feet north of Cheyenne Avenue, (APN: 138-12-801-009), C-2 (General Commercial) Zone, Ward 6 (Mack).

ON SEPTEMBER 18, 2001 THE APPLICANT REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE OCTOBER 18, 2001 PLANNING COMMISSION MEETING.

**Truesdell -
ABEYANCE TO OCTOBER 18, 2001 PLANNING
COMMISSION MEEING.**

**Unanimous
(Buckley and Quinn excused)**

JOEL McCULLOCH, Planning and Development, stated on September 18, 2001 the applicant requested this item be held in abeyance to the October 18, 2001 meeting in order to revise their site plan.

BRADLEY GOTHARD, Ultimate Collision, 3431 North Tioga Way, said he agreed to have this item held in abeyance to the October 18, 2001 meeting.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

**To be heard by the Planning Commission on October 18,
2001.**

(6:11 - 6:13) 1 - 343

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ITEM

ACTION

B-29.

MSP-0009-01 - WORLD ENTERTAINMENT CENTERS, LIMITED LIABILITY COMPANY

Request for a Master Sign Plan FOR NEONOPOLIS at 450 Fremont Street (APN: 139-34-513-003), C-2 (General Commercial) Zone, Ward 5 (Weekly).

NOTICES MAILED 92 [Mailed with U-0125-01]

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: NONE. If approved, subject to:

Planning and Development

1. All signage shall have proper permits obtained through the Building and Safety Department.

2. Site development to comply with all applicable Conditions of Approval for the Site Development Plan Review (SD-0003-98) and all other subsequent site-related actions as required by the Planning and Development Department.

3. Any changes or alterations to this Master Sign Plan shall require an application for a new Master Sign Plan.

Truesdell -

ABEYANCE ITEM NOS. B-29 AND B-30 TO THE OCTOBER 18, 2001 PLANNING COMMISSION MEETING (Allow Planning Commission to be provided with more detailed information).

**Unanimous
(Buckley and Quinn excused)**

CHAIRMAN GALATI brought Item Nos. B-29 and B-30 forward after Item No. D-1 was heard.

COMMISSIONER TRUESDELL made a motion for abeyance so these items could be heard with the Text Amendment under Item No. D-1.

NOTE: See related Item No. B-30.

To be heard by the Planning Commission on October 18, 2001.

(11:35 - 11:37) 4 - 1068

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ITEM

ACTION

B-30.

U-0125-01 - WORLD ENTERTAINMENT CENTERS, LIMITED LIABILITY COMPANY

Request for a Special Use Permit FOR OFF-PREMISE ADVERTISING at 450 Fremont Street (APN: 139-34-513-003), C-2 (General Commercial) Zone, Ward 5 (Weekly).

NOTICES MAILED 92 [Mailed with MSP-0009-01]

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: NONE. If approved, subject to:

Planning and Development

1. This Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign be removed.

2. If the existing off-premise advertising signs are removed, this Special Use Permit shall be expunged and a new off-premise advertising signs shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19A including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19A has been approved for the new structure by the City Council.

3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

Truesdell -

ABEYANCE ITEM NOS. B-29 AND B-30 TO THE OCTOBER 18, 2001 PLANNING COMMISSION MEETING (Allow Planning Commission to be provided with more detailed information).

**Unanimous
(Buckley and Quinn excused)**

CHAIRMAN GALATI brought Item Nos. B-29 and B-30 forward after Item No. D-1 was heard.

COMMISSIONER TRUESDELL made a motion for abeyance so these items could be heard with the Text Amendment under Item No. D-1.

NOTE: See related Item No. B-29.

To be heard by the Planning Commission on October 18, 2001.

(11:35 - 11:37) 4 - 1068

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ITEM

ACTION

**U-0125-01 - WORLD ENTERTAINMENT
CENTERS, LIMITED LIABILITY COMPANY**

4. All development shall be in conformance with the Site Development plan and elevations.

5. All City Code requirements and design standards of all City departments must be satisfied.

ABEYANCE TO OCTOBER 18, 2001

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ITEM

ACTION

B-31.

U-0126-01 - WHISPERING SANDS, LIMITED LIABILITY COMPANY

Request for a Special Use Permit FOR GUEST HOUSES/CASITAS on 8.58 acres generally located south of Whispering Sands Drive and east of Leon Avenue (APN: 125-13-214-001 through 022), R-1 (Single Family Residential) Zone, Ward 6 (Mack).

NOTICES MAILED 184

APPROVALS 1 (Speaker)

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to all minimum requirements under Title 19A.04.040 for guest house/casita, with the exception of the minimum lot width of eighty feet.

2. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0047-99), the Whispering Sands subdivision, and all other subsequent site related actions as required by the Planning and Development Department and Public Works Department.

3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

4. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

5. The guest houses/casitas shall be situated such as to not create sight visibility problems for vehicular traffic accessing the adjacent streets.

Truesdell -

ABEYANCE TO THE OCTOBER 18, 2001 PLANNING COMMISSION MEETING.

Motion carried with McSwain abstaining inasmuch as her company is involved with this project. (Buckley and Quinn excused)

LAURA MARTIN, Planning and Development, stated this is a proposal to have a single car garage located on one side of the residence entry court. This does not alter the footprint of the dwelling and not encroach in the front yard setback. This will be an option for this housing development and in conformance with the requirements of the Las Vegas Zoning Code with the approval of a Special Use Permit to allow guest houses/casitas with lot widths of less than 80 feet. Staff recommended approval, subject to the conditions.

There was no one present to represent this application.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in approval. He said he used to work for the builder who does beautiful work.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the Planning Commission on October 18, 2001.

(11:47 - 11:38) 4 - 1140

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ITEM

ACTION

B-32.

U-0127-01 - PECCOLE FAMILY PARTNERSHIP

Request for a Special Use Permit FOR A PROPOSED TAVERN (DOLLAR BILL'S) on 1.53 acres adjacent to the east side of Hualapai Way approximately 300 feet north of Sahara Avenue (APN: 163-06-416-002), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Service Commercial) Zone, Ward 2 (L.B. McDonald).

PROTESTS: 1 (Prior to Meeting)

ON SEPTEMBER 17, 2001 THE APPLICANT REQUESTED THIS ITEM BE HELD IN ABEYANCE INDEFINITELY.

**Truesdell -
TABLED INDEFINITELY ITEM NOS. B-32 AND B-33.
Unanimous
(Buckley and Quinn excused)**

JOEL McCULLOCH, Planning and Development, stated that on September 17, 2001 the applicant requested Item Nos. B-32 and B-33 be held in abeyance indefinitely.

CLYDE SPITZE, AMEC Engineering, appeared to represent the applicant. They would like to have Item Nos. B-32 and B-33 held indefinitely so they can study the area.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

(6:13 - 6:14) 1 - 390

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ITEM

ACTION

B-33.

Z-0017-90(36) - PECCOLE FAMILY PARTNERSHIP

Request for a Site Development Plan Review FOR A PROPOSED TAVERN (DOLLAR BILL'S) on 1.53 acres adjacent to the east side of Hualapai Way approximately 300 feet north of Sahara Avenue (APN: 163-06-416-002), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Service Commercial), Ward 2 (L.B. McDonald).

PROTESTS: 4 (Prior to Meeting)

ON SEPTEMBER 17, 2001 THE APPLICANT REQUESTED THIS ITEM BE HELD IN ABEYANCE INDEFINITELY.

Truesdell -

TABLED INDEFINITELY ITEM NOS. B-32 AND B-33 (To allow applicant time to work with staff on plan revisions).

Unanimous

(Buckley and Quinn excused)

JOEL McCULLOCH, Planning and Development, stated that on September 17, 2001 the applicant requested Item Nos. B-32 and B-33 be held in abeyance indefinitely.

CLYDE SPITZE, AMEC Engineering, appeared to represent the applicant. They would like to have Item Nos. B-32 and B-33 held indefinitely so they can study the area.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

(6:13 - 6:14) 1 - 390

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ITEM

ACTION

B-34.

U-0128-01 - EDWARD MCNEAL ON BEHALF OF AMERICAN TOWER CORPORATION FOR AT&T WIRELESS SERVICES, INC.

Request for a Special Use Permit FOR A 60 FOOT TALL WIRELESS COMMUNICATION TOWER at 2331 North Martin L. King Boulevard (APN: 139-21-102-005), C-1 (Service Commercial) Zone, Ward 5 (Weekly).

PROTESTS: 2 (Prior to Meeting)

ON SEPTEMBER 12, 2001 THE APPLICANT REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE OCTOBER 4, 2001 PLANNING COMMISSION MEETING TO WORK WITH STAFF ON PLAN REVISIONS.

Truesdell - ABEYANCE TO THE OCTOBER 4, 2001 PLANNING COMMISSION MEETING.

**Unanimous
(Buckley and Quinn excused)**

JOEL McCULLOCH, Planning and Development, stated that on September 12, 2001 the applicant requested this item be held in abeyance to the October 4, 2001 meeting.

There was no one present to represent the application.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the Planning Commission on October 4, 2001.

(6:14 - 6:15) 1 - 420

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ITEM

ACTION

B-35.

VAC-0022-01 - CASINO GARCES, LIMITED LIABILITY COMPANY

Petition to Vacate a portion of Garces Avenue generally located west of Casino Center Boulevard, Ward 3 (Reese).

NOTICES MAILED 2

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

1. All development shall be in conformance with code requirements and design standards of all City departments. (*Planning and Development*)

2. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required. (*Planning and Development*)

3. All public improvements, if any, adjacent to and in conflict with this Vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation. (*Public Works*)

4. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #3 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the Vacation application is not changed. If applicable, a five-

Truesdell -
APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Unanimous
(Buckley and Quinn excused)

CHAIRMAN GALATI pulled this item forward after Item No. B-5 was heard.

LAURA MARTIN, Planning and Development, stated this Vacation application will vacate a five foot wide unused portion of the Garces Avenue right-of-way between First Street and Casino Center Boulevard. The Vacation will not affect public access and not result in a reduced traffic handling capability. This section of right-of-way is currently undeveloped and unused. This Vacation is necessary in order to satisfy the parking requirements for an approved two-story office building. Staff recommended approval, subject to the conditions.

GENE OLANDER, 3514 East Tropicana Avenue, Suite 2, concurred with the conditions. He asked if his company is required to take care of the section between First Street and the alleyway, which is owned by another property owner.

DAPHNEE LEGARZA, Public Works, responded that the property being vacated adjacent to another property will revert back to that property owner.

MR. OLANDER also asked if this item could be heard at the October 3, 2001 City Council meeting. ROBERT GENZER, Planning and Development, explained that this item could not be heard before the October 17, 2001 City Council meeting.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

COMMISSIONER TRUESDELL wondered if these Vacations are being looked at throughout the downtown area. MS. LEGARZA said there has been an internal study that addresses which downtown streets would accommodate a street Vacation, but there are no plans to do a global Vacation.

To be heard by the City Council on October 17, 2001.

(6:33 - 6:37) 1 - 1056

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ITEM

ACTION

**VAC-0022-01 - CASINO GARCES, LIMITED
LIABILITY COMPANY**

APPROVED

foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained. *(Public Works)*

5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Commission, then approval will terminate and a new petition must be submitted. *(Planning and Development)*

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ITEM

ACTION

B-36.

VAC-0026-01 - CONCORDIA HOMES OF NEVADA

Petition to Vacate portions of Craig Road, Marla Street, and Helena Avenue and U.S. Government Patent Easements generally located south of the Craig Road Alignment, west of the future Beltway Alignment, Ward 4 (Brown).

NOTICES MAILED 6

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

1. This Petition of Vacation shall be revised to retain an appropriate City of Las Vegas Public Sewer Easement adjacent to the western edge of the Western Beltway and the Craig Road alignment at a location acceptable to the City Engineer prior to the recordation of the Order of Vacation. *(Public Works)*

2. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required. *(Planning and Development)*

3. All development shall be in conformance with code requirements and design standards of all City Departments. *(Planning and Development)*

4. All public improvements, if any, adjacent to and in conflict with this Vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation and Order of Relinquishment of Interest. *(Public Works)*

Truesdell - APPROVED, SUBJECT TO STAFF'S AMENDED CONDITIONS.

**Unanimous
(Buckley and Quinn excused)**

CHAIRMAN GALATI called this item forward after Item No. B-31.

LAURA MARTIN, Planning and Development, stated this Vacation fulfills a Condition of Approval and Rezoning application, Z-0065-00. This Vacation request will not eliminate public access to abutting parcels and will be incorporated into the proposed 33-lot single-family residential subdivision, which is Lone Mountain West Unit 3. It is appropriate and will have neither a negative impact on the adjacent properties or on the development of this site. Staff recommended approval, subject to the conditions.

GREG BARGULL, CVL Consultants, 6280 South Valley View Boulevard, Suite 200, said he concurred with the conditions. He requested this item be fast tracked to the City Council on October 18, 2001. They have their approved plans and Final Map pending.

ROBERT GENZER, Planning and Development, responded that a Vacation takes between four and six months, so there is no purpose in fast tracking this item. He added that Condition Nos. 1 and 2 need to be reworked prior to being heard by the City Council.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the City Council on November 7, 2001.

(11:38 - 11:40) 4 - 1220

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ITEM

ACTION

VAC-0026-01 - CONCORDIA HOMES OF NEVADA

APPROVED

5. The Order of Vacation and Order of Relinquishment of Interest shall not be recorded until all of the above conditions have been met provided, however, that Condition #4 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the Vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all Vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained. *(Public Works)*

6. Development of these sites shall comply with all applicable Conditions of Approval for the Concordia at Lone Mountain West – Unit 3 Subdivision, Z-65-00 and all subsequent site-related action. *(Public Works)*

7. If the Order of Vacation and Order of Relinquishment of Interest are not recorded within one (1) year after approval by the City Council or the Planning Commission does not grant an Extension of Time, then approval will terminate and a new petition must be submitted. *(Planning and Development)*

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ITEM

ACTION

B-37.

**VAC-0027-01 - DEER SPRINGS/CONCOUGH,
LIMITED LIABILITY COMPANY ON BEHALF
OF BIG SKY DEVELOPMENT**

Petition to vacate a public sewer easement generally located south of Deer Springs Way, west of the Conough Lane Alignment, Ward 6 (Mack).

NOTICES MAILED 3

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL,
subject to:

1. This Petition of Vacation shall be amended to exclude the south 20 feet of this public sewer easement Vacation. *(Public Works)*

2. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required. *(Planning and Development)*

3. All development shall be in conformance with code requirements and design standards of all City Departments. *(Planning and Development)*

4. All improvements, if any, adjacent to and in conflict with this Vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation. *(Public Works)*

Truesdell -

**APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH
CONDITION NO. 2 DELETED.**

Unanimous

(Buckley and Quinn excused)

LAURA MARTIN, Planning and Development, stated this public sewer easement would not be needed for the City to provide sewer service to the north. Staff recommended approval, subject to the conditions.

ROBERT GENZER, Planning and Development, added that Condition No. 2 should be deleted since an easement is being vacated so no other easements would need to be retained.

CHAIRMAN GALATI announced that the applicant advised him there was a fire at his neighbor's house so he had to leave the meeting, but concurred with the conditions. He declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the City Council on November 7, 2001.

(11:40 - 11:42) 4 - 134

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ITEM

ACTION

**VAC-0027-01 - DEER SPRINGS/CONCOUGH,
LIMITED LIABILITY COMPANY ON BEHALF
OF BIG SKY DEVELOPMENT**

APPROVED

5. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #4 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the Vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all Vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained. *(Public Works)*

6. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or the Planning Commission does not grant an Extension of Time, then approval will terminate and a new petition must be submitted. *(Planning and Development)*

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ITEM

ACTION

B-38.

**VAC-0028-01 - NORRIS SANDRA 1990
LIVING TRUST ON BEHALF OF BEAZER
HOMES HOLDING CORPORATION**

Petition to vacate a portion of Robin Street generally located north of Washington Avenue, Ward 5 (Weekly).

NOTICES MAILED 26

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: Approval, subject to:

1. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. *The Drainage Plan for Z-0049-01 may be used to fulfill this condition. (Public Works)*

2. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required. *(Planning and Development)*

3. All development shall be in conformance with code requirements and design standards of all City Departments. *(Planning and Development)*

4. All public improvements, if any, adjacent to and in conflict with this Vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation. *(Public Works)*

Goynes -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with McSwain abstaining inasmuch as Beazer Homes Holding Corporation is a client of her company.

(Buckley and Quinn excused)

LAURA MARTIN, Planning and Development, stated this Vacation would result in a non-uniform, less than 60-foot wide, collector street. However, Robin Street is currently built as a 51-foot street and because residential homes currently exist to the east, it is unlikely that Robin Street will ever be widened to the east. This Vacation will not affect public right-of-way access. Staff recommended approval, subject to the conditions.

ROBERT LEWIS, Carter-Burgess, 6655 Bermuda Road, said he concurred with the conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the City Council on November 7, 2001.

(11:42 - 11:43) 4 - 90

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ITEM

ACTION

**VAC-0028-01 - NORRIS SANDRA 1990
LIVING TRUST ON BEHALF OF BEAZER
HOMES HOLDING CORPORATION**

APPROVED

5. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #4 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the Vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all Vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained. *(Public Works)*

6. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted. *(Planning and Development)*

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ITEM

ACTION

B-39.

VAC-0029-01 - CARL L. WATSON & WANDA R. FOSTER

Petition to vacate a portion of Shelby Street generally located south of Harris Avenue, Ward 3 (Reese).

NOTICES MAILED 3

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

1. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required. *(Planning and Development)*

2. All development shall be in conformance with code requirements and design standards of all City Departments. *(Planning and Development)*

3. All public improvements, if any, adjacent to and in conflict with this Vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation. *(Public Works)*

4. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #3 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the Vacation application is not changed. If applicable, a five

Evans -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Galati abstaining inasmuch as his company has designed a church on this property. (Buckley and Quinn excused)

LAURA MARTIN, Planning and Development, stated this Vacation will not eliminate public access to any abutting parcels and will be incorporated into the development of a church. Staff recommended approval, subject to the conditions.

WANDA R. FOSTER, 1620 North Torrey Pines Drive, and CARL L. WATSON, 4107 Del Monte, appeared to represent the application. They concurred with the conditions.

VICE CHAIRMAN TRUESDELL declared the Public Hearing open.

There was no one present wishing to speak on this item.

VICE CHAIRMAN TRUESDELL declared the Public Hearing closed.

To be heard by the City Council on November 7, 2001.

(11:44 - 11:46) 4 - 1430

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VAC-0029-01 - CARL L. WATSON & WANDA R. FOSTER

foot wide easement for public streetlight and fire hydrant purposes shall be retained on all Vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained. *(Public Works)*

5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted. *(Planning and Development)*

APPROVED

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ITEM

ACTION

B-40.

**VAC-0030-01 - SHEARING FAMILY TRUST,
ET AL ON BEHALF OF KB HOME NEVADA,
INC.**

Petition to vacate public right of way and U.S. Government Patent Easements generally located on the northeast corner of Alexander Road and Fort Apache Road, Ward 4 (Brown).

NOTICES MAILED 35

APPROVALS 0

PROTESTS 0

CONCERNS 1 (Speaker)

STAFF RECOMMENDATION: APPROVAL,
subject to:

1. An application to vacate the west half of Dapple Gray Road must be submitted to Clark County and receive County Commission approval. Orders of Vacation for both the County Vacation application and this Vacation application shall record simultaneously; if one cannot be recorded for any reason, neither shall record. (Public Works)

2. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required. (Planning and Development)

3. All development shall be in conformance with code requirements and design standards of all City Departments. (Planning and Development)

4. All improvements, if any, adjacent to and in conflict with this Vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation and Order of Relinquishment of Interest. (Public Works)

Truesdell -

**APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH
CONDITION NO. 2 AMENDED.**

**Motion carried with McSwain abstaining inasmuch as her
company does work for KB Home Nevada, Inc.
(Buckley and Quinn excused)**

LAURA MARTIN, Planning and Development, stated this Vacation of an unused portion of Dapple Gray Road will not eliminate access to abutting parcels and will be incorporated into a proposed 105-lot single-family residential subdivision, Lone Mountain Classics. This Vacation is appropriate and will have neither a negative impact on adjacent properties or on the development of this site. Staff recommended approval, subject to the conditions.

ROBERT LEWIS, Carter-Burgess, 6655 Bermuda Road, said he concurred with the conditions.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared as a concerned citizen. He wanted to make sure the trail is not affected by this Vacation. ROBERT GENZER, Planning and Development, responded that this Vacation has no affect on the trail. In addition, Condition No. 2 would not apply to the Patent Vacation in this case.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the City Council on November 7, 2001.

(11:46 - 11:49) 4 - 1520

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ITEM

ACTION

**VAC-0030-01 - SHEARING FAMILY TRUST,
ET AL ON BEHALF OF KB HOME NEVADA,
INC.**

APPROVED

5. The Order of Vacation and Order of Relinquishment of Interest shall not be recorded until all of the above conditions have been met provided, however, that Condition #4 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the Vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all Vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained. (Public Works)

6. Development of these sites shall comply with all applicable Conditions of Approval for Z-50-01 and all other subsequent site-related actions. (Public Works)

7. If the Order of Vacation and Order of Relinquishment of Interest are not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted. (Planning and Development)

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ITEM

ACTION

C.

NON PUBLIC HEARING ITEMS:

C-1.

ABEYANCE - Z-0108-94(3) - TRIUMPH PROPERTIES LIMITED LIABILITY COMPANY

Request for a Review of Condition #2 on an approved Rezoning (Z-0108-94) TO ALLOW A SIX FOOT SETBACK FOR THE PERIMETER BLOCK WALL WHERE TWENTY FEET WAS ORIGINALLY APPROVED at 751 North Tenaya Way (APN: 138-27-311-041), R-PD16 (Residential Planned Development - 16 Units Per Acre), Ward 2 (L.B. McDonald).

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Condition #2 shall be amended to read:

If a wall (including a retaining wall) is constructed along Tenaya Way, it shall be decorative and be set back a minimum of 6 feet for landscaping outside the wall.

2. Compliance with all other Conditions of Approval of the Rezoning (Z-0108-94) and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Unanimous

(Buckley and Quinn excused)

LAURA MARTIN, Planning and Development, said that original Condition of Approval #2 states if a wall is constructed along Tenaya Way it shall be decorative and set back a minimum of 20 feet for landscaping outside the wall. The redesigned perimeter includes a wrought iron retaining wall instead of a solid block wall, which meets the original intent of this condition. Staff recommended approval, subject to the conditions.

DAVID BENJAMIN, 7401 West Washington, appeared to represent Triumph Properties. He concurred with the conditions.

NOTE: See Item No. B-8 for related discussion.

This is final action.

(8:15 - 8:20) 2 - 1520

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ACTION

**ABEYANCE - Z-0108-94(3) - TRIUMPH
PROPERTIES LIMITED LIABILITY COMPANY**

APPROVED

Public Works

3. Meet with the Traffic Engineering Representative in Land Development for assistance in the redesign of the proposed gated access drives abutting Tenaya Way. Gated access drives shall meet the intent of Standard Drawing #222a, i.e. the proposed gates must be situated such that a vehicle denied access through the gates can turn around on-site without backing out onto the public right-of-way. Comply with the recommendations of the Traffic Engineering Representative prior to the issuance of any permits. If the site plan cannot accommodate an acceptable gating plan, gates may not be allowed on this site.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

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ACTION

C-2.

Z-0068-85(58) - LAS VEGAS TECHNOLOGY CENTER LIMITED PARTNERSHIP ON BEHALF OF WESTWOOD STUDIOS

Request for an Extension of Time on an approved Site Development Plan Review FOR TWO (2) 24 FOOT BY 60 FOOT MODULAR OFFICE TRAILERS on 2.15 acres at 2400 North Tenaya Way (APN: 138-15-810-009), C-PB (Planned Business Park) Zone, Ward 4 (Brown).

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The temporary modular trailers must be removed within one year of this approval, unless an Extension of Time has been granted by the Planning Commission.

2. Conformance to the Conditions of Approval for the Site Development Plan Review [Z0068-85(52)] and all other subsequent site related actions as required by the Planning and Development Department and the Department of Public Works.

NOTICES MAILED

APPROVALS 0

PROTESTS 0

Truesdell -
APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Unanimous
(Buckley and Quinn excused)

LAURA MARTIN, Planning and Development, stated the temporary modular trailers are located toward the northwest corner of the site. The location will be appropriate because the landscape buffer and wall shield the trailers from view. There is a condition to remove the temporary trailers within one year of this approval. Staff recommended approval, subject to the conditions.

BOB LEMON, Westwood Studios, 2400 North Tenaya Way, said he concurs with staff's conditions.

NOTE: COMMISSIONER TRUESDELL said his company manages the association common areas of Tech Park 1, but this action would not have any economic effect for his company.

To be heard by the City Council on November 7, 2001.

(11:49 - 11:51) 4 - 1610

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ACTION

C-3.

Z-0074-97(12) - RIO VISTA PLAZA, LIMITED LIABILITY COMPANY

Request for a Minor Modification TO ADD MEDICAL OFFICE TO THE PERMITTED USES TABLE OF THE PD (PLANNED DEVELOPMENT) FOR RIO VISTA PLAZA generally located adjacent to the southeast corner of Ann Road and Drexel Road (APN: 125-34-515-001, 003, 004 and 009), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] and R-E (Residence Estates) Zone under Resolution of Intent to PD (Planned Development) Zone, Ward 6 (Mack).

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. All City Code requirements and design standards of all City departments must be satisfied.

2. Medical office uses, upon cumulatively exceeding 6,000 gross square feet of building area, shall submit to Planning and Development Department staff a detailed parking analysis for the entire Rio Vista Plaza center, demonstrating adequate available on-site parking, prior to the approval of a business license.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Goynes -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Galati abstaining inasmuch as the architect for this project and his company have a business relationship on a current project.

(Buckley and Quinn excused)

VICE CHAIRMAN TRUESDELL announced that the applicant was unable to stay at the meeting until this item was heard.

JOEL McCULLOCH, Planning and Development, also spoke with the applicant who advised him he concurs with the conditions.

NOTE: COMMISSIONER TRUESDELL disclosed that he has previously voted on items that concern this development, but has no interest in this project.

This is final action.

(11:51 - 11:53) 4 - 1710

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ACTION

C-4.

Z-0101-97(1) - WILLIAM PECCOLE 1991 TRUST ON BEHALF OF NOBEL LEARNING COMMUNITY

Request for a Site Development Plan Review and a Reduction in Required Site perimeter Landscaping FOR A PROPOSED 17,000 SQUARE FOOT ELEMENTARY SCHOOL on 4.6 acres north of Alta Drive, approximately 705 feet east of Hualapai Way (APN: 138-31-210-004 and 009), C-V (Civic) Zone, Ward 2 (L.B. McDonald).

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

2. Revise the site plan to indicated proper parking space size per Section 19A.10.010(J)(2).

3. Install a wrought iron fence on the west property line, adjacent to the soccer field, to match the proposed wrought iron fence along the north property line. If a block wall is constructed at a later time, it shall be a six-foot high decorative block wall, with at least 20 percent contrasting materials, along the side and rear property lines. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

4. Revise the landscape plan to depict 24-inch box trees spaced thirty feet on center along the west property line adjacent to the soccer field and indicate shrubs and groundcover in the unimproved area east of the proposed parking area as well as provide shrubs and groundcover for every 24-inch box tree to conform to the City of Las Vegas Urban Design Standards and Guidelines Standards.

McSwain -
APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Unanimous
(Buckley and Quinn excused)

LAURA MARTIN, Planning and Development, stated the applicant's justification letter states this Site Development Plan Review is to add a 17,000 square foot elementary school and play fields to the existing Merry Hill Pre-School. Access to this site and parking areas is from two vehicle driveways off Alta Drive. The landscape plan does not depict any trees along the west property line adjacent to the soccer field. Therefore, there is a condition to plant 24-inch box trees spaced 30 feet on center. Also, there is a condition recommended to plant shrubs and ground cover in an unimproved area east of the proposed parking area. Staff recommended approval, subject to the conditions.

CLYDE SPITZE, AMEC Engineering, 3016 West Charleston Boulevard, Suite 180, appeared to represent the applicant. This site plan depicts all the corrections that have been requested. There are trees and ground cover to the east of the project. He concurred with staff's conditions.

NOTE: CHAIRMAN GALATI disclosed that he made a proposal on this property, but was not the successful bidder, so that would not affect his decision on this application.

This is final action.

(11:53 - 11:55) 4 - 1793

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ACTION

**Z-0101-97(1) - WILLIAM PECCOLE 1991
TRUST ON BEHALF OF NOBEL LEARNING
COMMUNITY**

APPROVED

5. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

8. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.

10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

11. All City Code requirements and design standards of all City departments must be satisfied.

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**Z-0101-97(1) - WILLIAM PECCOLE 1991
TRUST ON BEHALF OF NOBEL LEARNING
COMMUNITY**

Public Works

12. Construct all incomplete half-street improvements (sidewalk) on Alta Drive adjacent to this site concurrent with development of this site.

13. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

14. Coordinate with the Collection Systems Planning Section of the Department of Public Works to provide public sewer to this site prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

15. An update to the previously approved Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

APPROVED

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ACTION

**Z-0101-97(1) - WILLIAM PECCOLE 1991
TRUST ON BEHALF OF NOBEL LEARNING
COMMUNITY**

APPROVED

16. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first, if allowed by the City Engineer.

17. Site development to comply with all applicable previously imposed Conditions of Approval for Zoning Reclassification Z-101-97 and all other subsequent site-related actions.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

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ITEM

ACTION

C-5.

Z-0024-99(35) - NGA #2, LIMITED LIABILITY COMPANY

Request for a Site Development Plan Review FOR A 57,780 SQUARE FOOT OFFICE PARK and a reduction of landscape planter fingers in the parking lot on 4.51 acres located adjacent to the northwest corner of the Buckskin Avenue alignment and Cliff Shadows Parkway (APN:137-12-301-010), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation], under Resolution of Intent to PD (Planned Development) Zone, Ward 4 (Brown).

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. Submit for Planning and Development staff review a revised landscape plan indicating one landscape planter finger for every 12 parking spaces, the 15 foot wide planter along Buckskin Avenue, and the additional trees, that are required in the planter fingers that were waived, in the perimeter landscape planters.
3. Submit for Planning and Development staff review a revised site plan that depicts compliance to Title 19A with regard to access aisles for the handicap parking spaces.
4. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

Goynes -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH CONDITION NO. 14 AMENDED AS STATED BY PUBLIC WORKS.

**Motion carried with Truesdell abstaining.
(Buckley and Quinn excused)**

JOEL McCULLOCH, Planning and Development, stated this site plan depicts an orderly placement of buildings and parking areas. However, it is deficient in the required amount of handicapped parking access aisles. Therefore, staff recommended a condition requiring submittal of a revised site plan depicting the required access aisles. The landscape plan is deficient in landscape planter widths on the southern property line and the required landscape planter fingers in the parking areas. The applicant has requested a waiver for the required landscape planter fingers and staff recommended approval of a partial waiver and allowing planter fingers for every 12 parking stalls, as long as the required trees are placed in the perimeter planters. Staff recommended approval, subject to the conditions.

CALVIN CHAMPLIN, Quadrant Planning, 3320 North Buffalo Drive, Suite 205, appeared to represent the applicant. He concurred with staff's conditions. However, the back tier of parking is covered and was not clear on the site plan when the application was submitted. They will have to devise a solution to incorporate the finger planters that staff is recommending. That can be done with a revised site plan by breaking up some of the locations where the covered parking would be located. They have a 15-foot buffer along the southern boundary. On Condition No. 11 they did not feel they could meet the 90-degree angle, but in further discussions with staff they are confident that can be done. He thought staff was going to amend Condition No. 14.

DAPHNEE LEGARZA, Public Works, said Condition No. 14 should be amended as follows: "If not already constructed at time of development, provide a public sewer stub at the northwest corner of this site to a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City."

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5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

8. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

9. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

10. All City Code requirements and design standards of all City departments must be satisfied.

MR. CHAMPLIN concurred with that amended condition.

This is final action.

(11:55 - 11:59) 4 - 1868

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Public Works

11. The alignment of Buckskin Avenue shall be altered to intersect Cliff Shadows Parkway at approximately a 90° angle. Coordinate with the Department of Public Works for assistance in determining the proper alignment and appropriate additional right-of-way dedications prior to the issuance of any permits. (Public Works)

12. Dedicate 30 feet of right-of-way adjacent to this site for Buckskin Avenue prior to the issuance of any permits.

13. Construct half-street improvements including appropriate overpaving, if legally able, on Cliff Shadows Parkway and Buckskin Avenue adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site.

14. If not already constructed at time of development, extend public sewer in Cliff Shadows Parkway from Gowan Road to the south edge of this site and provide a public sewer stub at the northwest corner of this site to locations and depths acceptable to the City Engineer. Also provide a public sewer stub at the northwest corner of this site to a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

APPROVED

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APPROVED

15. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation, parking lot layout and the possible relocation or restricted access for the proposed driveway onto Cliff Shadows Parkway north of Buckskin Avenue prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

16. An update to the master Traffic Impact Analysis for the Lone Mountain West Planned Development must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance

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APPROVED

therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

17. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first, if allowed by the City Engineer.

18. Site development to comply with all applicable Conditions of Approval for Zoning Reclassification Z-24-99, the required update to the master Traffic Impact Analysis, and all other site-related actions.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

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C-6.

Z-0028-93(3) - CLARK COUNTY SCHOOL DISTRICT

Request for a Review of Condition #1 on an Approved Site Development Plan Review [Z-0028-93(2)] WHICH REQUIRED AN EIGHT-FOOT WIDE LANDSCAPE PLANTER ALONG THE WESTERN PROPERTY LINE on 27.98 acres at 2501 Vegas Drive (APN: 139-29-501-014), R-1 (Single Family Residential) Zone under Resolution of Intent to C-V (Civic), Ward 5 (Weekly).

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Condition #1 shall be revised to: Revise the landscape plan to provide an eight-foot wide landscape planter along the western property line, when adjacent to single family residential, consisting of 5-gallon shrubs planted in two rows spaced five-feet on center and provide groundcover. All shrubs and groundcover shall conform to the Las Vegas Urban Design Standards and Guidelines.

2. Site development to comply with all applicable previously imposed Conditions of Approval for Site Development Plan Review [Z-0028-93(2)] and all other subsequent site-related actions.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Goynes -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Galati abstaining inasmuch as the Clark County School District is a client of his company. (Buckley and Quinn excused)

LAURA MARTIN, Planning and Development, said the applicant's justification letter states that legal documents for this Site Development Plan Review revealed two easements to the Colorado River Commission located along the west property line for underground water lines. The easements prohibit the construction of any buildings, structures, fencing or trees. The intent of that condition was to provide landscape buffering for adjacent residential properties. Upon receiving further information in regard to this easement from the applicant, Condition #1 is no longer feasible and recommended the condition be deleted. Staff recommended approval, subject to the conditions with Condition #1 revised to delete the original Condition #1 of the Site Development Plan Review.

CAROL BAILEY, Clark County School District, 4212 Eucalyptus Annex, concurred with the conditions. Since the landscaping was not needed on a portion of the easement it was agreed with staff that crushed granite would be placed there to mitigate dust.

JOEL McCULLOCH, Planning and Development, added that the original condition was put on this application to provide relief to the adjacent single-family homes. Staff does not have a concern whether there is crushed granite there or not.

This is final action.

(11:59 - 12:03) 4 - 2061

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C-7.

SD-0056-01 - CAMILO B. TABORA, JR.

Request for a Site Development Plan Review and a reduction in the amount of perimeter landscaping FOR A PROPOSED 2,000 SQUARE FOOT MEDICAL OFFICE AND A REDUCTION IN THE REQUIRED PERIMETER LANDSCAPING at 3301 West Charleston Boulevard (APN: 162-05-111-001), C-D (Designed Commercial) Zone, Ward 1 (M. McDonald).

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Identify the three parking stalls nearest to the building as "Staff Parking".
2. Revise the landscape plan to indicate two 24-inch box trees west of the existing tree, spaced twenty feet on center along the Charleston Boulevard frontage as well as provide a minimum of four 5-gallon shrubs for every existing and required tree to meet the requirements of the Las Vegas Urban Design Guidelines and Standards.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Unanimous

(Buckley and Quinn excused)

LAURA MARTIN, Planning and Development, stated the applicant plans to convert an existing day care facility to a medical office. The site plan depicts a functional layout considering the small size of the site and meets the minimum required amount of parking. There is a condition to provide two 24-inch box trees west of the existing tree spaced 20 feet on center along the Charleston Boulevard frontage, as well as provide a minimum of four 5-gallon shrubs for every existing and required tree to better meet the requirements of the Las Vegas Urban Design Guidelines and Standards. Staff recommended approval, subject to the conditions.

JULES DE JESUS, 4625 Wynn Road, Building C-211, appeared to represent the applicant. He concurred with staff's conditions.

This is final action.

(12:03 - 12:05) 4 - 2218

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SD-0056-01 - CAMILO B. TABORA, JR.

APPROVED

6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets *[except single-family residential development]*.

7. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

8. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

9. Remove all substandard public street improvements, alley improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards prior to occupancy of this site.

10. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. All new driveways or modifications to existing driveways shall be designed, located and constructed to meet the intent of Standard Drawing #222a. Parking spaces located off the public alley shall be set back sufficiently to allow a minimum of 24 feet clearance for vehicle maneuvering.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

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D.

DIRECTOR'S BUSINESS:

D-1.

ABEYANCE - TA-0029-01 - CITY OF LAS VEGAS

Discussion and possible action to amend the City of Las Vegas Zoning Code Title 19A.06.060 Downtown Overlay District to add an overlay district with specific standards for off-premise signs within the block bounded by Ogden Avenue on the north, Las Vegas Boulevard on the east, Fremont Street on the south, and Fourth Street on the west, Ward 5 (Weekly).

STAFF RECOMMENDATION: NO RECOMMENDATION. If Approved, Amend Title 19A as follows:

1. Amend Title 19A.06.060 Downtown Overlay District to add the following subsection:

D. Special Sign Overlay District

In order to allow maximum flexibility in placement of exterior signage on and around the Neonopolis retail and entertainment center, specific standards for signs within the block bounded by Ogden Avenue on the north, Las Vegas Boulevard on the east, Fremont Street on the south, and Fourth Street on the west are exempt from the automatic application of certain signage requirements and limitations in Subchapter 19A.14.050, Subchapter 19A.14.090, and Subchapter 19A.14.100. However, the exemption of does not prohibit City staff, The Planning Commission, and the City Council from imposing limitations on the approval of a Site Development Plan Review of a Master Sign Plan review. Following are limitations on signage within the Special Sign Overlay District; where these requirements do not address requirements and standards regarding signage, the requirements and standards Subchapter 19A.14.050, Subchapter 19A.14.090, and Subchapter 19A.14.100 apply.

Truesdell -

ABEYANCE TO THE OCTOBER 18, 2001 PLANNING COMMISSION MEETING AND REVIEWED BY THE DESIGN SUB-COMMITTEE OF THE PLANNING COMMISSION PRIOR TO THAT DATE.

**Unanimous
(Buckley and Quinn excused)**

CHAIRMAN GALATI called this item forward after Item No. B-27 because it is germane to the next two items.

JOEL McCULLOCH, Planning and Development, stated this request is to amend Title 19A.06.060 to add a special sign overlay district. It will overlay one square block of the Neonopolis project in the downtown and within that district amend the off-premise sign standards of Title 19A.14.100 in the following ways:

1. Allow a maximum off-premise sign surface area of 1,250 square feet. Currently the maximum is 672 square feet.
2. Allow a minimum separation distance of five feet between off-premise signs. Currently the separation distance is 300 feet between off-premise signs.
3. Allow off-premise signage to a maximum height of 80 feet above grade. Currently the maximum height above grade is 40 feet.
4. Allow off-premise signs to abut or encroach into the public right-of-way a maximum of eight feet. Title 19A currently requires a minimum setback of 50 feet from the intersection of any right-of-way of any public roads, streets, or highways.
5. Allow off-premise signs to be placed on the building rooftop. Currently Title 19A is silent on rooftop signage.

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1. Off-premise sign surface area shall not exceed of 1,250 square feet per sign.
2. The separation distance between off-premise signs shall not be less than five (5) feet.
3. Off-premise signs shall be no higher than 83 feet above grade.
4. Off-premise signs and on-premise wall signs may be permitted to encroach into public rights-of-way, a maximum of 8 feet, subject to the approval of an Encroachment Permit.
5. Off-premise signs may be permitted to be placed on the building rooftop. Rooftop project identification signs shall not exceed 864 square feet in area, and shall be limited to a maximum of two (2).
6. On-premise wall signs may be permitted to project a maximum of 8 feet beyond the top or sides of the building wall to which the sign is attached.

Within Title 19A.14.105, Special Sign Overlay District, the district will amend the on-premise sign standards of Title 19A.14.050 and Title 19A.14.090 as follows:

1. Allow on-premise wall signs to project a maximum of eight feet beyond the top or sides of the building wall to which the sign is attached. Currently it allows a maximum projection of 12 inches.
2. Allow on-premise wall signs to abut or encroach into public rights-of-way a maximum of eight feet.
3. Allow rooftop identification sign maximum area of 864 square feet. Currently rooftop signs are a maximum of 150 square feet.

The Neonopolis building is in a visually strategic location at the Las Vegas Boulevard entrance to the Fremont Street Experience. It provides a visual gateway to the Fremont Street Experience and is a visually important structure along Las Vegas Boulevard. Signage on the large building walls will be visible and create an immediate impression on the visitor. Substantial wall area devoted to signage can create a positive impression on visitors through strong visual imagery as exemplified by the Times Square area of New York City. Within that district the large and animated signage is an integral part of the entertainment experience. It is important to note that the off-premise signage for the Neonopolis project, while covering a large wall surface area, will not create an atmosphere reminiscent of Times Square and the proposed signage, all or in part, will be neither animated nor electronic, but will utilize standard billboard copy display materials.

Staff is not offering a recommendation on this Text Amendment.

GENE SISCO, World Entertainment Centers, 116 B North 3rd Street, said Neonopolis is a cornerstone in the redevelopment of the Fremont Street Experience area. It is a hundred million dollar project, about a quarter of a million square feet, with retail, entertainment and food venues. It is a partnership with the City given that the parking garage is below it and a partnership with the Fremont Street Experience and all the casinos in that there will be goods and services provided that they do not offer. It is also a quasi partnership with the Neon Museum extending their reach and offering the collection of neon as part of a total experience.

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The wall-mounted signage that is being attempted is in all its aspects: tri-vision, LED's, full motion color monitors, and static displays. Some of the signs will be interactive and involve community arts related functions, weather, UNLV, etc.

The architecture will be sophisticated as well as historical in the kind of signage and brightness of the neon in relationship to this project and wall mounted signs is going to be reminiscent of what was on Fremont Street in the past. There will be over three miles of neon in their project.

He showed renderings of what has been done in Times Square.

They are trying to show off-premise advertising and community related context. They would like to have signs closer together for dynamism and architectural impact and higher than usual. Financing and market demands will dictate the type of signs that will be utilized.

LESA CODER, City of Las Vegas, Office of Business Development, said the Neonopolis is a public/private partnership where the City has taken on construction and placement of two layers of below grade parking. The City's interest is to make sure that whatever is being present is of the highest standard and highest quality. Her office has no objection to what is being proposed.

One concern is how much control would there be over off-premise advertising on other properties in the nearby area. Two ways could effectively do that: First, extend the overlay district to those other properties that would warrant this type of privilege. Secondly, with a Special Use Permit conditions can be placed on it, including a time limit for review.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in protest. He thought the zoning should not be amended. This should be done with a Variance. He was not impressed with the NEONOPOLIS sign. Any sign on these premises should be approved by the Planning Commission and City Council.

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CHAIRMAN GALATI declared the Public Hearing closed.

COMMISSIONER GOYNES was in favor of this type of signage. It is superior to what is on the Strip. It is different and blends in with the Fremont Street Experience. He wondered if the adult industry would be allowed to advertise on these signs. MR. SISCO said they would not be allowed to do so. Prudential is the backer of the project. LESA CODER said Prudential may be willing to deed restrict the property so that would not occur.

COMMISSIONER McSWAIN felt there is impressive signage on the Strip, which has occurred through competition. In this case, however, there would not be the normal competition.

MR. SISCO added that the goals are to create a cosmopolitan atmosphere with a historical overtone that brings back the old 1950's Fremont Street. The media should be sophisticated in terms of having it blend into these moving signs, not one ad after another. There will be real content that has roots in the community, which gives it more of an interest to the viewer.

MS. CODER said it was not the intent to say this one property should be given an exception. This could be done by a Variance, but the Special Use Permit process allows conditions that may not be able to be placed on this project. Perhaps other conditions could be investigated that would be suitable for a similar project, such as size, scale, magnitude, character of area in which signs would be located, does it add to the sense of excitement in and around the Fremont Street Experience, a requirement for moving or video, etc. They would be willing to have this held so some of those possibilities could be explored, rather than being uncomfortable in moving forward.

COMMISSIONER McSWAIN said she would prefer to have this item held in abeyance. Years ago there was a certain feeling on Fremont Street with just lights and brilliance. She wondered how that is going to relate to this.

MR. SISCO invited the Commissioners to come to his office to see the entire model in three-D and to be able to understand the proportions and symmetry and excitement in relationship to the whole project. He noted there is a 600-seat food court that the 65,000 to 70,000 office workers in the downtown will welcome and a children's play area.

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COMMISSIONER TRUESDELL felt it is important that the signage should have its content reflect the tenants within this project and the content needs to be scrutinized in future years. This should not be restricted to one block.

CHAIRMAN GALATI was uncomfortable with going forward with this Text Amendment. This needs to be studied further. It does not seem to be an integrated design with the architecture. This should be held in abeyance. It appears to be all about revenue, but he is hoping this project would not need to rely on signage revenue to be successful.

COMMISSIONER EVANS added that he has not heard a lot about neon. MR. SISCO explained there will be three miles of neon. They have not shown the entire proposal and would welcome the Commissioners to come to the office to see it in its entirety.

COMMISSIONER TRUESDELL suggested holding this for 30 days and referring it to the design sub-committee of the Planning Commission to do some additional review on some of the conditions, concerns, etc. He has seen the model, but there are a few more issues that need to be addressed.

To be heard by the Planning Commission on October 18, 2001.

(11:02 - 11:34) 3 - 3748/4 - 1

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D-2.

TA-0030-01 - CITY OF LAS VEGAS

Discussion and possible action to amend Title 19A.04.010 Land Use Table for Tattoo Parlor/Body Piercing Studio to allow the ability to obtain a Special Use Permit in the C-1 (Limited Commercial) Zoning District for this use.

STAFF RECOMMENDATION NONE. If approved, staff suggests the following change to Title 19A:

Place an "S" in the box that would be located at the intersection of the C-1 Zoning District and tattoo parlor/body piercing studio in section 19A.04.010 Land Use Tables.

Goynes -

APPROVED

Motion carried with Evans voting NO and Truesdell abstaining.

(Buckley and Quinn excused)

JOEL McCULLOCH, Planning and Development, stated that at the last Planning Commission meeting there was a request to have staff look into a Text Amendment for tattoo parlors and body piercing studios in the C-1 (Limited Commercial) zoning district by obtaining a Special Use Permit from the City Council. This use operates in the same manner as other general personal service uses and other entities in the valley are less restricted than the City with regard to this use. Staff does not have a recommendation, but if it is approved, it has to be placed in the Land Use Table in the C-1 (Limited Commercial) zoning district in the tattoo parlor/body piercing studio category.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

COMMISSIONER EVANS commented that he visited a tattoo parlor since the last meeting and found there are differences in the way they operate from a beauty salon and barber shop. Most of the tattoo parlors sell crack pipes.

NOTE: ROBERT GENZER, Planning and Development, stated after the vote was posted that this request will be forwarded to the City Council in Ordinance form assuming that a sponsor can be obtained. The sponsor will either have to be the Director of Planning and Development or a member of the City Council.

To be forwarded to the City Council in Ordinance form.

(12:05 - 12:09) 4 - 2328

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D-3.

TA-0031-01 - CITY OF LAS VEGAS

Discussion and possible action to amend Title 19A.04.010 Land Use Tables to not allow a boarding/kennel without outside pens in the O (Office), C-D (Designed Commercial), and C-1 (Limited Commercial) Zoning Districts and to allow this use only as a Special Use Permit when in conjunction with an animal hospital, clinic or shelter.

STAFF RECOMMENDATION Staff recommends the following changes to Title 19A:

1. Amend Title 19A. 04.010 to reflect the proper listing of this use as follows: Animal Hospital, Clinic, Shelter/ Boarding or Kennel without outside pens.

2. Amend Title 19A.04.010 to change the current "P" under C-D (Designed Commercial) and C-1 (Limited Commercial) to a "S".

3. Amend Title 19A.04.050 Special Use Permits to establish the following criteria to obtain a Special Use Permit for this use:

- a. Maximum of 25% of the floor area can be used for boarding of animals.
- b. Noise levels must comply with Animal Control regulations.
- c. No dog runs or kennels outside.

4. Amend Title 19A.20.020 to read as follows: Animal Hospital, Clinic, Shelter/ Boarding or Kennel without outside pens.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Unanimous

(Buckley and Quinn excused)

JOEL McCULLOCH, Planning and Development, stated this amendment is to delete the ability to have a stand alone boarding kennel and to allow the use in conjunction with an animal hospital, clinic or shelter. Both Clark County and Henderson only allow the use when in conjunction with hospitals, clinics, or shelters. Staff recommended approval, subject to the conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be forwarded to the City Council in Ordinance form.

(12:09 - 12:10) 4 - 2486

PLANNING COMMISSION

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

D-4.

TA-0032-01 - CITY OF LAS VEGAS

Discussion and possible action to amend Title 19A.08.040 (B) (2) (a) Fences and Walls, Height to allow 8 foot tall walls in the rear and side yards and 6 foot tall walls in the front yard subject to the top two feet being 50% open and to delete Title 19A.18.080 (2).

STAFF RECOMMENDATION Staff recommends the following changes to Title 19A:

1. Amend Section 19A.08.040 (B) (2) (a) Height to allow rear and side yard area walls to be eight feet tall solid or open and to allow the front yard area walls to be six feet tall provided that the top four feet is at least 50 percent open.
2. Delete Section 19A.08.040 (B) (2) (a) (7) which makes reference to wall height increases by way of an Administrative Deviation.
3. Delete Section 19A.18.080 (C) (2) which reference the ability to apply for an Administrative Deviation to increase the height of a block wall.

**Truesdell -
APPROVED
Unanimous
(Buckley and Quinn excused)**

JOEL McCULLOCH, Planning and Development, stated this amendment is to allow 8-foot tall walls in the rear and side yards of a residential property and to allow a two foot wall with four feet of wrought iron on top of it in the front yard. This request was brought about by Assembly Bill 553, which limited entities to 10% Administrative Variances. The City previously was able to allow the heights in this request to administrative deviation, but by passage of the Assembly Bill would only be allowed to deviate by 7.2 inches, which is not one whole block. Staff recommended approval, subject to the conditions.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, said he likes the idea of having two feet of wrought iron, but that doesn't come to 50% of the open area.

MR. McCULLOCH explained that the intent is to allow pilasters to be put up and then wrought iron in-between.

CHAIRMAN GALATI declared the Public Hearing closed.

To be forwarded to the City Council in Ordinance form.

(12:10 - 12:13) 4 - 2551

PLANNING COMMISSION

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ITEM

ACTION

E.

CITIZENS PARTICIPATION:

THE PLANNING COMMISSION CANNOT ACT UPON ITEMS RAISED UNDER THIS PORTION OF THE AGENDA UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

ADJOURNMENT:

/lo

TODD FARLOW, 240 North 19th Street, referred to Item No. B-17 and asked the Commissioners to go into his neighborhood and see what needs to be done. The Clark County School District wants to have a two-story elementary school at Fremont, Sunrise and Bruce Streets. There is not enough space so they want to take out a row of houses on 18th Street, which are the best built houses in town, but need to be rehabbed. The School District wants to put a parking lot where those houses exist. In addition, they want to leave the Section 8 condos, which are a nuisance. His area is close to becoming a slum.

There being no further business to come before the City Planning Commission, the meeting adjourned at 12:15 A.M.

PLANNING AND DEVELOPMENT DEPARTMENT

LINDA OWENS, DEPUTY CITY CLERK